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CALIFORNIA HIGH-SPEED RAIL AUTHORITY
MONTHLY MEETING
APRIL, 4 2013
FRESNO, CALIFORNIA
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REPORTED BY:
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CSR NO. 13422

1 Public meeting taken at Fresno City Council
2
3 Chambers, 2600 Fresno Street, Fresno, California, on
4 Thursday, April 4, 2013, at 10:00 a.m., before Kara D.
5 Gehrke, Certified Shorthand Reporter, in and for the State
6 Of California.

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1 FRESNO, CALIFORNIA

2 THURSDAY, APRIL 4, 2013; 10:00 A.M.

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5 CHAIRMAN RICHARD: Good morning, ladies and
6 gentlemen. Welcome to this meeting of the California
7 High-Speed Rail Authority. Before we begin, I'd just like to
8 deal with a logistical matter, we have participation, two of
9 our board members are in Sacramento today and one is in San
10 Francisco. So first I would just like to confirm, could I
11 ask Vice Chair Schenk in Sacramento, are you able to hear
12 these proceedings.

13 VICE CHAIR SCHENK: Yes, Chairman Richard.

14 CHAIRMAN RICHARD: Thank you. And in San
15 Francisco, Director Rossi, are you able to hear us?

16 DIRECTOR ROSSI: Yes.

17 CHAIRMAN RICHARD: All right. I'm hoping the
18 people in the auditorium here can reasonably hear the people
19 coming from those other areas.

20 All right. Before we begin, we have one matter
21 that is a very important to us. I'm very pleased that we are
22 joined here today in Fresno by our newest member of the
23 California High-Speed Authority Board Katherine
24 Perez-Estolano. And we were delighted that the Governor has
25 appointed her. She brings extraordinary qualifications to

1 this Board. She is somebody who has been successful in the
2 private sector in the area of development. She is an
3 academic. She teaches transportation and land use at the
4 University of Southern California. She was head of the
5 Urban -- of the Urban Land Institute in Los Angeles. She was
6 deputy mayor of Pasadena, and she has a long history of
7 promoting civic involvement in public proceedings. She is
8 very sensitive to the needs of the communities and she is an
9 expert in areas involving transportation, land use and
10 high-speed rail, since she was an advisor to the U.S.
11 High-Speed Rail Association. And so before we begin, it's my
12 great privilege to administer the oath of office to her.
13 Please stand and raise your right hand.

14 (Ms. Perez-Estolano was administered the oath of
15 office.)

16 CHAIRMAN RICHARD: Congratulations.

17 MEMBER PEREZ-ESTOLANO: Thank you very much.

18 CHAIRMAN RICHARD: Before you do that, let us then
19 ask if we could take the roll.

20 BOARD CLERK MOORE: Vice Chair Schenk?

21 VICE CHAIR SCHENK: Here.

22 BOARD CLERK MOORE: Vice Chair Richards?

23 VICE CHAIR RICHARDS: Here.

24 BOARD CLERK MOORE: Mr. Umberg?

25 Mr. Hartnett?

1 MEMBER HARTNETT: Here.

2 BOARD CLERK MOORE: Mr. Rossi?

3 DIRECTOR ROSSI: Here.

4 BOARD CLERK MOORE: Ms. Perez-Estolano?

5 MEMBER PEREZ-ESTOLANO: Here.

6 BOARD CLERK MOORE: Chairman Richard?

7 CHAIRMAN RICHARD: Here.

8 Ms. Perez-Estolano, would you lead us in the pledge
9 of allegiance.

10 (Pledge of allegiance recited in unison.)

11 CHAIRMAN RICHARD: Before we start our meeting
12 today, why don't I ask our newest member to just say a few
13 words and introduce herself. And she is, by the way, very
14 well known to the Fresno Community from past work here.

15 MEMBER PEREZ-ESTOLANO: Good morning, everybody.
16 First of all, I want to say thank you to the Governor for
17 giving me this opportunity to participate as a member of this
18 body. This is a project that I've been paying attention to
19 for a long time, both in terms of my personal and
20 professional interest, and I'm excited to have a voice on
21 this Board. And I hope that in my term I'll be able to
22 contribute to the quality of the work that we're doing, the
23 partnership that we seek to achieve and the collaboration
24 with the communities and folks that will benefit from the
25 project.

1 It is very special for me to actually be sworn in
2 in Fresno. Many years ago I was working on projects in
3 downtown Fresno and have made many friends and colleagues in
4 Fresno and I still feel very close to the communities here.
5 And so it's like old homecoming week for me and enjoying
6 George's and Mediterranean Grill and all those things that I
7 know and love about this community. So with that, I just
8 want to say thank you. I'm looking forward to working with
9 an esteemed body of talented public servants, as well as
10 staff that are tremendously gifted and I'm looking forward to
11 contributing. Thank you.

12 CHAIRMAN RICHARD: Thank you very much.

13 We'll start our agenda today. Let me just take a
14 moment and talk about the structure of today's meeting.
15 Normally we have public comment for all items prior to going
16 through the specific agenda, but today we're breaking the
17 agenda into two pieces. We have two pieces of business
18 involving contracts that properly is of general concern, but
19 most of you are here today to talk about the issues affecting
20 the alignment choices in your community. So what we were
21 going to do is take public comments first on Items 1 and 2,
22 and we will have public comment before each of those items on
23 the agenda I guess is what I meant to say.

24 Now, also, normally we extend the courtesy to our
25 elected officials to speak first and then we take the public

1 comments in the order that they are received. It's my
2 understanding we have two people in Sacramento and one in San
3 Francisco who want to speak, so we'll intersperse them into
4 in process. But I will ask our elected officials if they
5 want to speak first on the general topics or if they want to
6 wait until we get to the alignment issues, and that will be
7 their choice.

8 To start, though, I'd like to introduce and
9 recognize Council Member Blong Xiong here in Fresno and ask
10 him to come forward.

11 COUNCIL MEMBER XIONG: Good morning, Chairman. I
12 hope I have a little bit more than three minutes, because
13 usually I give everybody three minutes, but thank you very
14 much.

15 Katherine, congratulations, well deserved. I know
16 your heart is there and I definitely believe that you will do
17 a great job serving the community.

18 Just a little bit of housekeeping. Folks, to those
19 in the back, we have opened up the balcony so there is
20 additional seating up there. Please, if you are looking for
21 a seat, go on up there, it is fairly safe.

22 Again, folks, good morning. My name Blong Xiong,
23 I'm the current council president, City of Fresno. And on
24 behalf of the mayor and the city council, I would like to
25 welcome the Board members here today, as well as those Board

1 members joining us by phone at city hall. I also wish to
2 welcome all the community members from across the state here
3 today to participate in this meeting of the California
4 High-Speed Rail Authority. I would like to note that both
5 Spanish and Hmong translators are available to any members of
6 the public who need them.

7 Let me thank Chairman -- one of the Board members,
8 Tom Richards, and Mr. Jeff Morales, for taking the time to
9 meet with me and our community partners over the last couple
10 of months regarding employment opportunities for the
11 underserved population in Fresno. It is important that the
12 high-speed rail continues to take a proactive approach to try
13 to address this issue. This constituent group deserves an
14 equitable opportunity for employment and having a direct
15 consultant working on this issue would go a long way in
16 demonstrating that commitment.

17 I would also like to thank Diana Gomez for all the
18 work she has done in our community. Since her arrival, her
19 and her staff have worked actively with me and the community
20 involved, and especially with property owners along the
21 Highway 99 stretch from Ashlan and Clinton that runs in the
22 heart of my district. From her staff, I would like to thank
23 Robert Padilla for always being available to me, with
24 businessowners to assist him in preparing for the HSR
25 project. And no matter what people may say about the

1 relationship between the county and the City of Fresno, I
2 want to acknowledge the partnership and the two entities in
3 working together in support of the maintenance facility here
4 in Fresno County.

5 Finally, I want to wish and thank the Board for
6 continuing to make Fresno, the Valley, a historic project for
7 this important project.

8 Thank you, and enjoy the day, folks.

9 CHAIRMAN RICHARD: Thank you very much. And we
10 wish to extend our appreciation to the council for allowing
11 us to use the chambers today, so thank you.

12 Next, going through our elected officials, we will
13 start with Supervisor Henry Perea, Fresno County Supervisor.
14 Good morning, Supervisor.

15 SUPERVISOR PEREA: Good morning, Mr. Chairman,
16 welcome to Fresno, welcome to Fresno County. Commissioner
17 Perez-Estolano, it's an honor to see you up there. I'm very
18 proud to see you sworn in and I know you're going to do a lot
19 of great work with this commission, because they've done a
20 great, great job and the heavy lifting is -- there's still
21 more to do and you're going to be right in the middle of it,
22 so welcome.

23 The county and city, as Councilman Blong has
24 indicated, we're working very closely together on this issue
25 of high-speed rail, because we recognize, not only the

1 importance of high-speed rail for California and the future
2 of moving people up and down the state in a more efficient
3 manner, but also the jobs that have been committed to this
4 project. And we are working closely, as Councilman Blong
5 indicated, with Diana Perez. She's done an amazing job here
6 in the Valley bringing everybody together and things are
7 moving forward. And we also certainly are working with all
8 of our community partners to make sure that Fresno County is
9 in a position to have a selection made by you all early next
10 year on the high-speed maintenance facility. So we're
11 working hard. We welcome you. We know you're making some
12 very tough decisions coming up on route selections. Today is
13 a great presentation in terms of all the hard work you've
14 done in the last six months and we stand with you all the
15 way. So welcome again.

16 CHAIRMAN RICHARD: Thank you. And if you ever have
17 any ideas about where that maintenance facility should go,
18 just be sure to let us know.

19 Supervisor Doug Verboon is chair of the Kings
20 County Board of Supervisors. Supervisor, would you like to
21 speak now or later? Please.

22 SUPERVISOR VERBOON: Chairman, members of the
23 Board, thank you for having us here today. First of all, I'd
24 like to enter into the record a letter that I sent Chairman
25 Richard two days ago, and I'm going to read off a couple

1 quotes from that. First off, I'd like to say that I'm not
2 here to argue about --

3 CHAIRMAN RICHARD: Excuse me, Supervisor, could you
4 step a little closer so that --

5 SUPERVISOR VERBOON: Sorry.

6 CHAIRMAN RICHARD: Thank you.

7 SUPERVISOR VERBOON: First off, I'd like to
8 recognize today that I'm not here to go against high-speed
9 rail or go for it. My concern is the lack of communication,
10 lack of coordination and the lack -- and the absence of
11 high-speed rail in our county. And I want to read a couple
12 quotes from the letter that I'm submitting today. "I'll
13 intend to spend some considerable amount of time in the
14 Valley in general and I will spend that time that needs to be
15 spent here in Kings County," Dan Richard, April 3rd, 2012.

16 "This is the time over the next couple of months we
17 can really limit the number of issues that your staff will
18 have to dig through in the draft EIR/EIS documents, because
19 we try" -- "we will try to be working with as many of them as
20 we could in advance. I don't want to give you any happy
21 talk, but I think we should at least roll up our sleeves and
22 try to see how far we can get and we will," Dan Richard,
23 April 3rd, 2012.

24 "We will commit to devote all the time at our staff
25 level that has available to ensure that we do everything we

1 can to catch up for last months that we have not
2 communicated," Dan Richard.

3 These are just a few of the comments from you,
4 Mr. Richard, to Kings County over a year ago. And, you know,
5 the lack of communication and lack of coordination in our
6 county is absurd to have a route go through our county
7 without any consideration for our local government. As a
8 local official for the people of Kings County, I represent
9 them at a government-to-government level and I believe the
10 staff has failed us to do so. Whether we're for it or
11 against it, we still need to have a line of communication
12 open at all times and whether or not -- whether or not we
13 continue to have the route go through our county, we need to
14 talk as far as high-speed rail. The maintenance facility, I
15 think Kings County would be a great place to have it. I
16 think with all due -- due to all the lack of respect that
17 we've had in our county, we deserve something. But right now
18 today, I invite you back to Kings County to continue where
19 you left off June 10th, 2012. You've made a lot of
20 commitments to our county and have failed us in that matter.

21 So with that, I submit this letter, and thank you.

22 CHAIRMAN RICHARD. Thank you, Supervisor. Let me
23 just say while this is your time to speak to us, I may
24 disagree with you on some of the history, but we're certainly
25 committed to working going forward and you and I had a

1 conversation this morning, I'll follow up with you on that.

2 SUPERVISOR VERBOON: So it's in the record, too,
3 that you said that last year, so we're looking towards you
4 for leadership and I welcome you back to Kings County, so I
5 hope you can make it work this time.

6 CHAIRMAN RICHARD: As I said, I know my way around
7 Kings County, I've spent a lot of time there, but we'll be
8 seeing you soon.

9 SUPERVISOR VERBOON: Okay. Thank you.

10 CHAIRMAN RICHARD: Supervisor Richard Valle from
11 Kings County Board of Supervisors.

12 (Applause from the audience.)

13 SUPERVISOR VALLE: Good morning, can you hear me on
14 this? Good morning Mr. Chair, members of the Board. I'll be
15 brief, sir. Like Supervisor Verboon said, over the years
16 we've had many meetings together where we've all heard from
17 each other back and forth. And so as an elected official in
18 Kings County, there is not much more today that I can say as
19 it relates to the opposition of the people I represent. They
20 will have that chance to do that later. So I want to say
21 thank you, Mr. Chair, and the members of your Board for
22 coming here to the Valley today. The information that's on
23 your agenda today, it makes me very happy that you came here
24 personally to deliver it. I know you could just as easily
25 have been in Sacramento this morning, but nothing made me

1 happier than to come to one of your meetings and see folks
2 from Kings County actually here in attendance at your
3 meeting, and especially the Hooks family from the City of
4 Corcoran. Mr. Chair, as you know, the Hook sisters here in
5 attendance, three ladies, their homes are all in a row and
6 this Corcoran bypass will take out their homes. And so this
7 is going to affect them on a very personal level, and I'm
8 glad to see them here today.

9 I'll close -- I want to close with this. We have
10 all -- over the years, we know the faces of those who support
11 the project and those who oppose it. So at this time,
12 Mr. Chair, you know, to me, I'm just glad to see the people
13 who took on leadership roles, whether it was members of the
14 community who took leadership roles or elected officials.
15 And as we're here today in Fresno and in Supervisor Henry
16 Perea's backyard, I want the folks that he represents, so
17 that his constituency says yes to this project, I want them
18 to know that he worked very hard, very hard, harder than any
19 other elected official that I saw. He took on a leadership
20 role, he assumed the duty, he represented his constituents,
21 just like I represent my constituents who said no to this
22 project.

23 Lastly, Mr. Tom Richards, you're a local guy, I
24 want to thank you for your service on this Board, as well,
25 today.

1 Thank you, Mr. Chair.

2 CHAIRMAN RICHARD: Thank you, Supervisor.

3 (Applause from the audience.)

4 CHAIRMAN RICHARD: Next we have Supervisor Manuel
5 Nevarez from Madera County. Would you like to address us now
6 or on the other items?

7 SUPERVISOR NEVAREZ: Now will be fine.

8 CHAIRMAN RICHARD: Great. Welcome.

9 SUPERVISOR NEVAREZ: Good morning, members of the
10 -- Chairman and members of the Authority. My name is Manuel
11 Nevarez. I'm a little bit nervous. This is my first big
12 public meeting -- well, actually, there was one prior to, but
13 I'm still a little bit nervous. I'm obviously the newly
14 appointed board supervisor for District 1. And I'm here to
15 express my joy with our recent board decision to get out of
16 the lawsuit. Our county was a party to it against the
17 high-speed rail. I want to publicly thank Diana Gomez and
18 Jeff Morales from the California High-Speed Rail for their
19 hands-on approach in addressing our county's concerns with
20 regards to unavoidable impacts to Madera County. They have
21 exceeded the call of duty by being flexible to personally
22 meet with staff and decision-makers from our county, which
23 ultimately gave our board members the good faith and trust
24 and comfort level to make the decision to exit the lawsuit.
25 And I'm just really overjoyed. This is a very monumental

1 day. I feel really proud to be a part of a monumental
2 decision that I know positively is going to impact our whole
3 Valley and the state in a positive way.

4 There is a couple of things I'd like to point out.
5 Madera County is bearing the burden of the only Wye in the
6 system not getting a station, but thus far has not seen any,
7 really, benefits if we don't get something of this magnitude.
8 The Authority has mandated that wherever possible communities
9 that are accommodating the high-speed rail should have the
10 opportunity to receive the benefits of high-speed rail, such
11 as station, maintenance facilities, et cetera. We have a
12 site for the heavy maintenance called the Gordon-Shaw, which
13 is offering 250 acres that would accommodate heavy
14 maintenance facility, command control center, maintenance way
15 facility. This site is in middle of the two largest
16 metropolitan areas, which are Fresno, Madera and Merced and
17 Stanislaus Counties, so I'm just basically making a -- you
18 know, a plea for our site, obviously.

19 Thank you for your time.

20 CHAIRMAN RICHARD: Supervisor, thank you very much.
21 Congratulations on joining your board.

22 Next, Supervisor Max Rodriguez of the Madera County
23 Board of Supervisors.

24 SUPERVISOR RODRIGUEZ: I want to the thank the
25 Commission for bringing this storm into the Valley, I'm from

1 Madera, it was pouring cats and dogs down there, we welcome
2 it.

3 Good morning, my name is Max Rodriguez, I'm
4 chairman of Madera County Board of Supervisors. Although
5 this news might not come as surprise, I'm eager to and
6 excited to report that on Tuesday the Madera County Board of
7 Supervisors voted to withdraw from the joint lawsuit against
8 the California High-Speed Rail Authority. As we all know,
9 litigation will do nothing more than strain our already
10 limited resources in an attempt to delay this project, an
11 environmental lawsuit cannot kill a project, only delay it.
12 Our decision to withdraw stems from the good-faith effort to
13 come to the table and negotiate mitigations, measures that
14 ensure Madera County will benefit from the project. Over the
15 last four years, I have remained committed in attempting to
16 get the best deal for Madera County. My philosophy has been
17 consistent and goal has been placed -- and my goal has been
18 placed -- has been to place the heavy maintenance facility in
19 Madera County. Both the City of Madera and the City of
20 Chowchilla, along with the county and the Central Valley
21 region, have an opportunity to reap the benefits. We have
22 the chance to create a middle class and put people back to
23 work, and this is what we want, put people to work. Every
24 time I speak in front of a group of people I always mention
25 jobs, jobs, jobs. As you know, this region here is poverty

1 stricken, we just have to do something about it. And this is
2 a project of the future and this is a project we must
3 support. We must all come together and build this project
4 here and make it a project that everybody can be so proud of,
5 because this is just a start. I would especially like to
6 commend the CAO, Jeff Morales, and Diana Gomez. They have
7 met with me and my county staff and have expressed a
8 willingness to work with us and engage with all the
9 stakeholders.

10 Thank you very much.

11 CHAIRMAN RICHARD: Thank you, Supervisor.

12 Next is Fresno City Council Member Steve Brandau.

13 COUNCIL MEMBER BRANDAU: Good morning, Chairman
14 Richard.

15 CHAIRMAN RICHARD: Good morning, Council Member.

16 COUNCIL MEMBER BRANDAU: Good morning, Board. I
17 was looking over the agenda today, and the thing that I would
18 like to just mention is not quite on the agenda. It seems
19 like the agenda is broken down into a part about jobs and
20 then a part about alignment. And I appreciate the commitment
21 to jobs, I think everybody in this room realizes how
22 dramatically we need jobs in our Valley, and -- but most of
23 this talk today is about upcoming jobs, which I appreciate.
24 I'm a little worried about jobs that we have now, and I would
25 like to talk specifically and ask maybe today, when you get

1 to this segment of the agenda where we talk about jobs, if
2 you could update us on this, is we've got a lot of current
3 jobs that are going to be affected by the project. And some
4 of them are in my district in northwest Fresno, and then --
5 but they go all the way throughout the community of Fresno.
6 My job is -- one of my jobs is to protect those jobs and
7 oversee the impact upon these businesses and these lives in
8 Fresno. And months ago we heard of a commitment from
9 High-Speed Rail Authority to create a one-stop shop to help
10 our businesses in this transition process, and it just seems
11 like -- and you might have a surprising update for me that I
12 haven't heard, and I would gladly like to hear about that, is
13 we are just about to start this project. You guys are going
14 to start this summer, from my understanding, but we still
15 have not seen that spot where businesses can come, it was
16 supposed to be in this building, I believe, where businesses
17 can come from Fresno and ask and find out what they're
18 supposed to do next, how they're supposed to move their
19 company, how they're supposed to move their people, how
20 they're supposed to inform all the people that work for them.
21 And so I appreciate the commitment to new jobs, I'm also
22 committed to our current jobs and I'm asking you for an
23 update on that one-stop shop for our local businesses on how
24 they can make this change in their lives.

25 Thank you very much for being here this morning.

1 CHAIRMAN RICHARD: Thank you, Council Member.

2 (Applause from the audience.)

3 CHAIRMAN RICHARD: The last two speaker requests
4 are from public officials, and so if I'm missing somebody, I
5 appreciate it if you could make yourself known to our staff
6 here, is Ricardo Arredondo, who is the board president of the
7 Madera Unified School District.

8 MR. ARREDONDO: Good morning, Chair.

9 CHAIRMAN RICHARD: Good morning.

10 MR. ARRENDONDO: Members of the Authority, as
11 mentioned, my name is Ricardo Arrendondo, I'm the board
12 president of Madera Unified School District. And first I
13 want to thank Ms. Gomez for taking the time to meet with us
14 as we focus on improving in our career pathways with a focus
15 on science, technology, engineering and math related and
16 associated with this project, especially. We are one of the
17 largest school districts in the area. We serve nearly 20,000
18 students, employ nearly 2,000 people and with a population of
19 approximately 85,000 within our boundaries, and regardless of
20 the selected alignment, the system will cross through our
21 district. The project will significantly impact our
22 community by providing easy access to the region from
23 overpopulated areas in Southern California and the Bay Area.
24 And because of high-speed rail, a good percentage of
25 California will soon discover the value of the Central San

1 Joaquin Valley and we will experience unprecedented growth.
2 It is regularly said that Madera County is loaded with
3 potential. Although the presence of potential is good, the
4 coming to fruition would be much better. We have been passed
5 over and over in favor of our neighbors to the north and
6 south. We weren't even considered for a station, but we are
7 burdened with a Wye and all the impacts it brings. The
8 selected alignment runs east of the city, so we lose out on
9 potential mitigation that would have brought life to our
10 downtown and eliminated blight. It has been the same old
11 story, Madera County is used, and many may say abused, and
12 always taken advantage of. It's time. It's our time. We
13 need, we require and we demand benefit. We want the heavy
14 maintenance facility. It is necessary for our community as
15 we move forward. It will offset all the impacts that we will
16 sustain as we bear the burden of the Wye. It will provide
17 real hope for generations to come and being centrally located
18 it will be a benefit to the entire San Joaquin region for the
19 Gordon-Shaw site as submitted by Madera County to be
20 seriously considered and selected.

21 Thank you very much for your time, and as I just
22 mentioned, thank you.

23 CHAIRMAN RICHARD: Thank you very much, sir.

24 Last we have Jose Rodriguez, who is also a member
25 of the Madera Unified School District, trustee.

1 MR. RODRIGUEZ: Good morning, Mr. Chair, Board. My
2 name is Jose Rodriguez and I'm a trustee for the Madera
3 Unified School Board. I want reiterate the importance of the
4 Gordon-Shaw site as it impacts our communities, as well as
5 our students. As President Arredondo mentioned, we focus on
6 the field of science, technology and career pathways. The
7 site gives our students an opportunity to align our
8 technology, science and career pathways to a strong demand
9 for careers that are as a result of the high-speed rail.
10 That being said, Gordon -- the Gordon-Shaw site is offering
11 250 acres that would accommodate the heavy maintenance
12 facility, a command control center, maintenance way facility.
13 This site is in the middle of two great metropolitan areas,
14 which is the Fresno-Madera and the Merced-Stanislaus. That
15 would only benefit -- that would not only benefit the Madera
16 County, but also the region and the system itself in
17 positioning the complex with easy access to most people in
18 the San Joaquin Valley. I believe that the -- our local
19 agencies are now implementing our common core standards and I
20 ask that you also implement common sense standards in looking
21 at the most suitable site for our Valley, especially San
22 Joaquin, I believe that the Gordon-Shaw site is the most
23 suitable.

24 Thank you again for your time.

25 CHAIRMAN RICHARD: Thank you very much,

1 Mr. Rodriguez.

2 All right. With that, we will now move to Items 1
3 and 2 on the agenda. And before we turn to public speakers
4 on that, I'd like to get a clarification on one issue from
5 our CEO. These are two contracts, two contract extensions
6 and some of you may have read that there was a report in a
7 newspaper in the Bay Area that this constituted an evidence
8 of cost overrun and soaring costs I think was the headline
9 writer's verbiage. So, Mr. Morales, before we get into
10 these, could you just address that issue of whether or not we
11 are seeing cost overruns in the planning portion of the
12 high-speed rail project at this point?

13 MR. MORALES: Thank you, Mr. Chairman. The simple
14 answer is no, the cost is not -- this is not an increase in
15 the cost of the program. These costs are within the
16 estimates provided in the business plan and approved and
17 enacted on by the legislature last year, and also well within
18 the Proposition 1A limits for these activities. The issue
19 here, a contract does not equal the program cost for any
20 given segment or for the entire program. We will enter
21 multiple contracts for things, again, they do not reflect the
22 entire cost of the program. Again, we -- it's well within
23 the contingencies that we've allowed. We're only -- this
24 allows us to continue the work, responding primarily to
25 public concerns and local government concerns about

1 additional reviews of alignments and additional studies, so
2 it captures those cost, but, again, it is absolutely not an
3 increase in the cost of the program.

4 CHAIRMAN RICHARD: Okay. Thank you for that. I
5 just want to say and feel compelled to say, having been on
6 this Board for a year-and-a-half, there are many
7 controversial issues with high-speed rail. The things that
8 brought many of the people here today involve the impacts
9 that high-speed rail would have on communities or on their
10 homes or farms. There are questions about whether this is a
11 program that the government should do or not do. There are
12 questions about whether it's the right kind of thing, whether
13 the alignments are right. You know, let's have those debates
14 and discussions in a free society, but it is really
15 frustrating and vexatious for me to read things that inject
16 into the public debate things that are just simply flat out
17 not true. So, you know, we live in a free society with a
18 free press, but the purpose of the press is to inform the
19 public. Actually, having been married to a journalist for
20 27 years at one point in my life who reminded me that the job
21 of the press is not to write stories that I particularly
22 like, but it is their job to write stories that I think
23 inform the public. And this particular story and the
24 overwrought headline that went with it really did not serve
25 the debate in any way, shape or form. So sitting here with

1 hundreds of citizens in Fresno and other people listening and
2 watching in, you know, we're doing our best job to shepherd
3 public dollars. Whether you agree with whether we should be
4 doing this program or not, our job is to do it in the right
5 way. When we screw up, if we screw up, we should be called
6 to account on that. But this particular story I thought was
7 just really off the scale in injecting something into the
8 public debate that was just plain false.

9 So with that, we're going to turn to these two
10 contracts. On the first contract involving the amendment to
11 the regional consulting contract with Parsons Transportation
12 Group, I'm actually going to recuse myself on this item.
13 Prior to joining the high-speed rail board, I did some
14 consulting work with that company, having nothing to do with
15 high-speed rail, but involving BART. I have no legal
16 requirement to recuse myself, because it's more than a year
17 old, but at the time I was appointed, I sent a letter to the
18 Governor saying I wouldn't act on anything involving them for
19 at least two years, and that period of time has not come up
20 yet. So with that, I'm going to turn the gavel over to Vice
21 Chair Tom Richards for this first item, he's going to preside
22 on that and I'll just step away for a few moments.

23 VICE CHAIR RICHARDS: Thank you, Mr. Chairman.

24 Ladies and gentlemen, Item No. 1 is an action item
25 for the proposal to amend the regional consultant contract

1 with Parsons Transportation Group, Mr. Trujillo.

2 MR. TRUJILLO: Thank you. I've got with me --

3 (Inaudible.)

4 VICE CHAIR RICHARDS: Mr. Trujillo, if you could
5 hang on just one second. Is there any way to increase the
6 volume or is anyone here able to hear what he's saying?

7 (Chorus of noes.)

8 (Inaudible.)

9 VICE CHAIR RICHARDS: Excuse me a moment. Dennis,
10 could you talk into the mic more closely and perhaps a little
11 louder?

12 (Inaudible.)

13 VICE CHAIR RICHARDS: It's better, it sounds like
14 you're in a plastic bag.

15 (Inaudible.)

16 VICE CHAIR RICHARDS: Hang on a second again,
17 Dennis.

18 (Discussion held.)

19 VICE CHAIR RICHARDS: What I understand,
20 Mr. Trujillo, the City of Fresno is working on improving the
21 volume and clarity on the teleconference. In the interim, so
22 as not to hold people up, but I want to make sure people can
23 hear what you're saying, if you can talk more slowly and
24 closely into the microphone, please.

25 (Inaudible.)

1 VICE CHAIR RICHARDS: Hang on just a second.
2 Dennis, hang on a moment, please. Mr. Trujillo in San
3 Francisco and Sacramento, as well as here in Fresno, we're
4 going to change the presentation and our CEO, Jeff Morales,
5 will handle the presentation of Item No. 1.

6 So, Mr. Morales, please.

7 MR. MORALES: Thank you, Mr. Richards.

8 The item before you is an amendment of an existing
9 contract with the Parsons Transportation Group, which is
10 conducting the work related to the environmental analysis,
11 the planning work and the preliminary engineering and design
12 on the San Jose-Merced section and in particular, this is
13 tied to the work done on the Wye section, which will be a
14 topic of discussion on Item 3 coming up.

15 This is an extension of the contract and an
16 addition of funds in order to cover the remaining work that
17 needs to be done, the study of additional alignments that has
18 been undertaken and to get the program through to the record
19 of decision, the notice of decision and permitting associated
20 with this section. The memo provides background on the
21 Parsons Transportation Group, which has been active on this.
22 Again, it is -- this is not the result of overruns on costs,
23 it's tied to specific activities. It is also, I want to
24 point out, an up-to amount of funds, and so it will be task
25 driven. They will be given specific work, again, in order to

1 deliver the record of decision and -- or the notice
2 of determination and the required environmental permits
3 associated with it. It is an increase of 9.3 million for
4 that and an extension of time of two years in order to
5 complete that work.

6 VICE CHAIR RICHARDS: All right. Thank you very
7 much, Mr. Morales.

8 MR. MORALES: I'm sorry, Mr. Chair, one thing I do
9 want to point out, it's very important because it's been such
10 a priority for the Board. In making this amendment, we are
11 proposing to include within it the 30 percent small business
12 goal. The current contracts for these environmental segments
13 were awarded prior to the Board having adopted those goals.
14 When we make any amendments or enter into new contracts going
15 forward, that 30 percent goal will be included. And so
16 included in this recommendation and included in the contract,
17 if amended, if approved by the Board, would be the 30 percent
18 small business goal.

19 VICE CHAIR RICHARDS: Okay. Thank you.

20 Before we go any further, just to understand
21 today's process, we're taking public comment on an
22 item-by-item basis. I'm not sure if what I was just handed
23 here are comments for this specific item, but in Fresno,
24 could I just see a show of hands of people who wish to
25 address Item No. 1? Just Mr. Dean? Okay. And one other.

1 I'm not sure I have the right cards here, so if -- in San
2 Francisco and Sacramento, do we have any public comments for
3 Item No. 1?

4 (Inaudible.)

5 DIRECTOR ROSSI: In San Francisco, no speakers for
6 No. 1.

7 VICE CHAIR RICHARDS: All right. Let's do Fresno.
8 Item No. 1, first Mr. Marvin Dean.

9 MR. DEAN: Mr. Chairman, I'll address -- both my
10 comments are going to be Item 1 and 2, so I don't have to
11 come up again, because I put on my cards Item 1 and 2. I'm
12 here representing the Kern County Minority Contractors
13 Association and my members. First of all, I should say
14 welcome to the Valley and welcome to the new member for
15 willing to serve. A lot of times there's not a lot of money
16 involved, but you commit a lot of time and I for one
17 understand public service and I appreciate people that are
18 willing to put themselves out to do that.

19 My purpose for coming up here is for twofold. One,
20 is I wanted to comment and support what the CEO talked about
21 was the 30 percent goal included in these contracts. I am a
22 part of the Small Business Advisory Council for the
23 High-Speed Rail Authority, and that was one of our concerns
24 that these new contracts going forward wouldn't capture
25 that 30 percent goal for small and minority-owned businesses,

1 because of -- EBB businesses, because as you know in the past
2 many of us supported the project, but we weren't being
3 included in the subcontracting and so forth. I support this,
4 but I have to also say this, I've been asked by a lot of
5 people saying "Why do you support high-speed rail? Are you
6 being paid? Do you have a contract?" I says "No, I support
7 it because of the benefit of what high-speed rail will do for
8 this Valley and also that they're making progress to include
9 small and disadvantaged businesses." But in closing, I have
10 to say this, and I'd be remiss not to say this, because I
11 hear it from my own community, there's no people of
12 African-American descent that I know of that have a
13 subcontract, is a subconsultant or anywhere included in any
14 of these contracts or are included in the process. I hear
15 that, so as a supporter, I defend the fact that we're going
16 to do better as this project goes forward, but I have to put
17 that part on the public record. But, again, I do support
18 this project.

19 So thank you for giving me the time.

20 VICE CHAIR RICHARDS: Thank you, Mr. Dean.

21 MR. DEAN: One other thing, I'm going leave this
22 handout, because this is an event we're going to Bakersfield,
23 I forgot to say that. If I can give this to somebody. It's
24 April 13th, it's a high-speed rail and -- not high-speed
25 rail, we call it a transportation forum and we're asking that

1 someone from the high-speed rail to come and also these prime
2 contractors come and we can help them as a forum, meet and
3 greet and also a prime contractor panel so we can help them
4 generate those subs that they're going to be looking for with
5 this extension.

6 Thank you for giving me additional time. Thank
7 you.

8 VICE CHAIR RICHARDS: Thank you, Mr. Dean.

9 Ms. Beverly Rodriguez, please. Welcome.

10 MS. RODRIGUEZ: Hello, I'm Beverly Rodriguez from
11 Kings County. I'm a resident. I wanted to share that I'm a
12 stay-at-home mom and I've raised three boys that are now men.
13 One of the things that I taught them was that -- well, I
14 think we all don't want our kids to lie, cheat or steal. And
15 so one of the things that I've learned through this process
16 is that the ballot initiative called for, what is it, \$31
17 billion or something, I don't know the exact numbers, but the
18 numbers have skyrocketed. To me, that was a lie to us as
19 voters, so -- and then the stealing, Kings County didn't vote
20 for high-speed rail, that was a coastal thing. So when I
21 learned that the track was going to go through Kings County,
22 it made no sense to me, so that's why I looked to see what
23 were the voting blocks. Tulare County didn't vote for it,
24 nor did Kings or Madera County. So to me that is -- you're
25 going to have to steal the land, so that's lying and

1 stealing. Now, the cheating part, and I don't know if this
2 is a fact, but Jerry Brown is supposed to sue the state to
3 get this railway through. And to me if he sues the people of
4 California, to me that's cheating. And it's one thing when
5 your kids do it, but I imagine us like we're the kids and the
6 state is the parent, if the parent lies, steals or cheats, I
7 mean, that's a real twist.

8 And that's all I have to say. Thank you.

9 (Applause from the audience.)

10 VICE CHAIR RICHARDS: Thank you, Ms. Rodriguez.

11 Mr. Russell Waymire.

12 MR. WAYMIRE: Well, thank you for the forum today
13 to afford us an opportunity to speak. I'm going to -- I'm a
14 resident of Kings County and I work with a lot of clients up
15 and down the Valley who are going to be significantly
16 impacted by this. As she mentioned, I'm here to speak on
17 behalf of the impact on the taxpayers. And maybe you can
18 correct me or you can correct the newspapers here, but what I
19 followed on this subject over the years, and I have copies
20 for you, the most recent was a San Francisco newspaper
21 article. As she had mentioned, the original cost of the bond
22 that we approved was \$33 billion. It was going to be an 800
23 mile electrified train that was going to do over 200 miles an
24 hour. That's in 2008. 2011, according to this article, the
25 new cost that you came out with was \$99 billion for

1 800 miles -- excuse me. Let me back up. The one at
2 \$33 billion was \$41 million per mile to construct. The new
3 one in 2011 was for 800 miles at \$99 billion, that comes out
4 to \$129 million per mile, and it might be electrified, maybe
5 not in all places. 2012 you reduced the overall cost down to
6 roughly \$69 billion for 520 miles. The new cost is not less,
7 it's \$152 million per mile and in areas going they're going
8 to be slower trains and diesel trains. And my question at
9 the top of this sheet, maybe you can clear the air for us and
10 publicize what is your cost per mile. You've been tricking
11 people when you say you're reducing the cost when you reduce
12 the overall cost of the project, but when you reduce the
13 amount of miles that are going to be constructed, you're
14 deceiving everybody. And we deserve to know how many miles
15 of that 520 are going to be electrified to do this 200 miles
16 per hour that you promised. And until that time comes, this
17 whole project needs to go back to the drawing board and let
18 these people revote on it again and know the facts of what
19 you're accurately going to do instead of deceiving us.

20 VICE CHAIR RICHARDS: Thank you, Mr. Waymire.
21 Thank you for your comment.

22 (Applause from the audience.)

23 MR. WAYMIRE: A couple of those have my e-mail on
24 there, so I would like to get a response back --

25 VICE CHAIR RICHARDS: Thank you.

1 MR. WAYMIRE: -- on your cost per mile that you
2 submitted.

3 VICE CHAIR RICHARDS: Thank you.

4 Is there anyone else here who wants to speak on
5 Item No. 1? I have a number of comment cards that are
6 general comments, but I don't have anything that I'm showing
7 any specific Item 1. Is there anybody -- anybody else have
8 any comment on 1? To clarify, in San Francisco or
9 Sacramento, anybody from the public wish to speak on Item No.
10 1?

11 VICE CHAIR SCHENK: No.

12 VICE CHAIR RICHARDS: Thank you. We'll bring the
13 matter to the dais. Members, any questions or comments for
14 staff before we make a motion for approval or disapproval
15 here?

16 DIRECTOR ROSSI: I have some questions from San
17 Francisco.

18 VICE CHAIR RICHARDS: Yes, Director Rossi.

19 DIRECTOR ROSSI: Thank you. As I look at the
20 number here, where we're going is the \$9.3 million; is that
21 right? Is that the increase we're talking about?

22 MR. MORALES: Correct.

23 DIRECTOR ROSSI: So approximately 20 percent?

24 MR. MORALES: The amendment is for 9.3 million,
25 correct.

1 DIRECTOR ROSSI: It's approximately 20 percent over
2 the existing contract. This additional money, these
3 additional monies, Mr. Morales, are still within the overall
4 budget as we sit and are not indicative of any type of cost
5 overrun or additional costs that weren't conceived possible
6 as we put the budget together?

7 MR. MORALES: That's correct, Mr. Rossi, the cost
8 estimates that were included in the business plan last year
9 have estimates for the cost to complete the environmental
10 planning, preliminary engineering work and there
11 are contingencies within those estimates that are intended to
12 deal exactly with these kind of circumstances. This is
13 standard practice in developing estimates and that was
14 reaffirmed and reinforced by the Federal Government
15 Accountability Office in its report recently issued that
16 these contingencies are appropriate. So within the -- for
17 instance, within the 26.9 billion estimate for the initial
18 operating section, there are 18 percent contingencies for
19 these activities. These costs are well within the
20 contingencies and so do not in any way reflect an increase in
21 the program cost.

22 VICE CHAIR RICHARDS: Thank you.

23 Any other questions or comments from members of the
24 Board?

25 (Inaudible.)

1 VICE CHAIR RICHARDS: Excuse me, Director Hartnett,
2 we're having a real difficult time understanding you. I
3 don't know if you are too close to the microphone or not
4 close enough, and maybe it's turned up a little too high.
5 Could you start again, please?

6 MEMBER HARTNETT: Sure. (Inaudible.) Can you hear
7 me now?

8 VICE CHAIR RICHARDS: It's still pretty difficult.
9 I can't understand anything.

10 (Inaudible.)

11 VICE CHAIR RICHARDS: Go ahead. I don't know. Are
12 you trying to fix it in San Francisco?

13 (Discussion held.)

14 VICE CHAIR RICHARDS: I'm sorry, Director Schenk,
15 did you have any comments?

16 VICE CHAIR SCHENK: I do not. I just wanted to
17 know if you could hear on this microphone.

18 VICE CHAIR RICHARDS: I'm sorry, we have not
19 understood Director Hartnett's comments, so are you trying to
20 get a land line to --

21 VICE CHAIR SCHENK: Yes. (Inaudible.)

22 VICE CHAIR RICHARDS: Let me just ask a question of
23 staff here. So is it the reasonable assumption that the
24 reason for the requested increase is because of the
25 additional environmental study for the Wye?

1 MR. MORALES: Yes, that is correct.

2 VICE CHAIR RICHARDS: Okay. All right. Thank you.

3 MEMBER HARTNETT: This is Jim Hartnett again. Can
4 you hear me better?

5 VICE CHAIR RICHARDS: Yeah, we've got you fine now.
6 Go ahead, Jim.

7 MEMBER HARTNETT: Okay. Thank you. My suggestion
8 is that, with respect to staff reports on expenditures like
9 this, that it is important that the item is discussed at
10 length, not just to the contract amount that may have been
11 increased, but to the program budget so that it's clear by
12 the report itself as to whether or not this is an actual
13 increase over the program budget, and if it is, where the
14 funds are coming from or should come from. It's also
15 appropriate, I think, if the funds are coming from the
16 program budget contingency that we be told that as well in
17 the report, so it's just very simple and direct just by
18 looking at the staff report to see where we are with the
19 money.

20 VICE CHAIR RICHARDS: All right. Thank you. I
21 guess the only other question I have of staff is can you, and
22 I don't believe you have, but can you just explain the
23 process that staff has gone through with the contractors to
24 arrive at the amount of the proposed increased budget?

25 MR. MORALES: Certainly. The process is basically

1 looking at what the remaining activities are that are
2 required to deliver the product. Again, this is a
3 task-driven contract, and so the contractor estimates working
4 with us, the amount of time, the hours, the various
5 activities that would be associated with completing the
6 process of the planning, the environment analysis, submission
7 of all documentation to the regulatory agencies. And, again,
8 this includes up through delivery of the record of -- federal
9 record of decision, the state notice of determination, and as
10 well as the permits that are then required to move forward,
11 so it's capturing all of those costs going forward.

12 VICE CHAIR RICHARDS: Thank you.

13 Do we have a motion on Item No. 1?

14 DIRECTOR ROSSI: Before we do that, Mr. Chairman,
15 can I just add something?

16 VICE CHAIR RICHARDS: I'm sorry, say that again,
17 please, Director Rossi.

18 DIRECTOR ROSSI: I would just like to add a comment
19 before we go to the vote, if that's okay with you.

20 VICE CHAIR RICHARDS: Sure.

21 DIRECTOR ROSSI: Along the lines of what Director
22 Hartnett talked about is I think that we do need to, as we
23 present these things in the future, instead of presenting
24 them in memo form, they ought to be presented in budget form
25 where we show what's been approved, why it's been approved,

1 what the changes are -- and can we do that -- I don't want to
2 go in depth here, but it's something we're going to need to
3 do at the audit committee, just so these things are easier to
4 read.

5 MR. MORALES: We'll certainly take into account all
6 the comments as to how these materials are presented as we go
7 forward.

8 VICE CHAIR RICHARDS: All right. Thank you.

9 DIRECTOR ROSSI: So moved, by the way.

10 MEMBER PEREZ-ESTOLANO: I just had one question
11 here from Fresno. I'm assuming with the draft EIS and EIR
12 that we're going to have the same commitment to a community
13 outreach program and that's still -- that's embedded within
14 the programming that is in this additional budget.

15 MR. MORALES: Yes, it's included -- those
16 activities are included with this, yes.

17 MEMBER PEREZ-ESTOLANO: Okay.

18 VICE CHAIR RICHARDS: All right. Are there any
19 other questions and comments from members of the Board? And
20 hearing none, do we have a motion?

21 DIRECTOR ROSSI: So moved.

22 VICE CHAIR RICHARDS: Is that by Director Rossi?

23 DIRECTOR ROSSI: Yes.

24 VICE CHAIR RICHARDS: And a second?

25 VICE CHAIR SCHENK: Yes.

1 VICE CHAIR RICHARDS: Is that Director Schenk?

2 VICE CHAIR SCHENK: Yes.

3 VICE CHAIR RICHARDS: Okay. Thank you. We have a
4 motion and a second. Please call the roll.

5 Vice Chair Schenk?

6 BOARD CLERK MOORE: Vice Chair Schenk?

7 VICE CHAIR SCHENK: Yes.

8 BOARD CLERK MOORE: Vice Chair Richards?

9 VICE CHAIR RICHARDS: Yes.

10 BOARD CLERK MOORE: Mr. Hartnett?

11 MEMBER HARTNETT: Yes.

12 BOARD CLERK MOORE: Mr. Rossi?

13 DIRECTOR ROSSI: Yes.

14 BOARD CLERK MOORE: Ms. Perez-Estolano?

15 MEMBER PEREZ-ESTOLANO: Yes.

16 VICE CHAIRMAN RICHARDS: Thank you. Motion
17 carries.

18 We'll move to Item 2, if we can get the Chair back,
19 please. Mr. Richard.

20 CHAIRMAN RICHARD: Thank you. Now, for Item 2,
21 Mr. Trujillo, we're just going to have our CEO, Mr. Morales,
22 present this item here, just so we're not dealing with
23 logistical difficulties. I apologize to everyone, the staff
24 assures me that it all worked perfectly last night, so it's
25 just the way things happen.

1 MR. MORALES: Mr. Chairman, this contract, similar
2 in its -- in the need for it and its intent to the item just
3 taken up, and this is for the work from Fresno to Bakersfield
4 and Bakersfield to Palmdale, those two sections. And it
5 reflects the increased costs associated with outreach
6 activities with a study of additional alignments and such
7 activities. It is covering two segments, again, Fresno to
8 Bakersfield and Bakersfield to Palmdale. The bulk of that
9 activity to date has been concentrated and will continue to
10 be concentrated in Fresno to Bakersfield section. It is --
11 the two segments are being done by joint venture of URS,
12 Hatch, Mott, MacDonald and Arup are the firms. The request
13 before you is to increase an amount not to exceed
14 38.25 million over two years, again, in order to move the
15 program through the additional planning, environmental
16 review, record of decision, notice of determination and
17 associated permitting work. I do want to point out that we
18 will be coming back to the Board with some recommendations in
19 future meetings regarding all of the environmental segments,
20 many of which are up for -- the contracts on them will be
21 expiring in the near future and we will have proposals for
22 the Board on how to move forward with those, which will
23 include the Bakersfield-Palmdale section because it's on a
24 different time schedule than Fresno-Bakersfield. But, again,
25 moving forward with this is important in order to allow us to

1 continue the process and be able to complete it and carry out
2 all of the activities associated with Item 4 today as we go
3 forward, the Fresno-Bakersfield EIR/EIS.

4 CHAIRMAN RICHARD: All right.

5 MR. MORALES: Again, as with the previous item, I
6 would point out this contract amendment, if approved, would
7 include the 30 percent small business goal, which is not in
8 the current contract, so that would be a change and a
9 positive one in implementing the Board's policies.

10 CHAIRMAN RICHARD: Okay. Thank you, Mr. Morales.

11 We'll now take any public comment specific to this
12 item. And, frankly, I had speaker cards that said Item 2,
13 but they all look general to me, so can I just ask if there
14 are members of the public who want to speak specifically on
15 this item, I suspect maybe the comments on the prior item
16 might have covered this as well. Please come forward. I'm
17 sorry I managed to get these out of order.

18 MS. MARTHA KOLSTAD: Good morning, I appreciate
19 your being here. I know this is a really hard thing to deal
20 with. Reading about --

21 CHAIRMAN RICHARD: Excuse me, ma'am --

22 MS. MARTHA KOLSTAD: Martha Kolstad.

23 CHAIRMAN RICHARD: -- could you give us your name,
24 please?

25 MS. MARTHA KOLSTAD: I'm from Fresno, Martha

1 Kolstad, I'm a citizen and a small businessowner here in
2 Fresno. And I've been before you several times over the last
3 few years following -- trying to follow closely what's going
4 on. On this proposal for Amendment No. 2, I'd like to know
5 if I read properly that this was a requested \$38 million
6 increase, and when you're talking about consultant -- are we
7 talking about pretty much consultants? And I was curious why
8 that would be such a huge increase. If we've been going over
9 this for several years, wouldn't that part of it have been
10 established already? And hearing, like, No. 1 and No. 2,
11 we're bringing up the environment part of it again. Are we
12 talking consultants again? What percentage of environmental
13 studies are we talking about in this? And I was curious
14 exactly how much has been spent to date of the monies that
15 were requested for the original program. It seems to me we
16 started 2008 with the \$68 billion, and I think the citizens
17 would be very, very curious to know how much actually has
18 been spent to date.

19 CHAIRMAN RICHARD: Ms. Kolstad, this is your time
20 to speak to us, we generally don't respond --

21 MS. MARTHA KOLSTAD: Oh, okay.

22 CHAIRMAN RICHARD: -- but I will tell you in the
23 back and forth we'll have questions for the staff and I'll
24 make sure that those facts come out.

25 MS. MARTHA KOLSTAD: I do think we would all

1 appreciate it, because the fiscal part of it, though we are,
2 you know, addressing this No. 2 at the 38 million, I'm
3 concerned that, you know, we're looking at a 50 million
4 projected shortfall in funding, that the Governor is
5 requesting another 4.8 million for Rail Authority staff and
6 most of that, that I read, was going to 44 staff members,
7 826,000 of which would be to salary increases when the rest
8 of us can't even give increases to our staffs and so on and
9 we are cutting back. I just -- I think it's a noble idea, I
10 don't think it's the time and I don't think California has
11 the money and the citizens don't have any money extra in
12 their pockets to give.

13 CHAIRMAN RICHARD: Thank you, Ms. Kolstad.

14 MS. MARTHA KOLSTAD: You're welcome.

15 (Applause from the audience.)

16 CHAIRMAN RICHARD: And, again, I apologize, having
17 stepped out I may have lost a thread here, so I have some
18 other cards which may be for Item 2, so if you want to speak
19 on this item, fine. If, in fact, you want to speak on the
20 next items, that's okay.

21 John Hernandez. Morning, Mr. Hernandez.

22 MR. HERNANDEZ: Good morning. I'm John Hernandez,
23 CEO of Central California Hispanic Chamber. I want to
24 welcome the High-Speed Rail Authority here to Fresno and also
25 to congratulate the new Board member. I wanted to speak out

1 a little bit about the local office here in Fresno. I think
2 a lot of people may not be aware of it, but I had an
3 opportunity to go down and speak with Diana Gomez and
4 Mr. Padilla down there. It is located in the state building
5 right across the street here on the 3rd floor, and I'd invite
6 anybody who needs help or wants assistance or wants to know
7 more about the project to please drop in.

8 Also, I wanted to talk about the small business
9 outreach. The Central California Hispanic Chamber of
10 Commerce is participating with the High-speed Rail Authority
11 on reaching the 30 percent goal. We think that's a doable
12 goal and we're going to do our best to get as many businesses
13 certified. If there are any businesses that are wanting to
14 get certified, please just give us a call at the chamber at
15 (559) 495-4817 or you can go to our website at cchcc.net.

16 Also, other things that we're doing is we're
17 promoting self-certification. And also we just participated
18 with the Economic Development Corporation serving Fresno
19 County with Leanne Acre and also with Aurelia Gomez and the
20 Fresno County Department of Social Services on -- it was one
21 of the largest jobs fairs in the State of California. We
22 just completed it on the 21st. We had over 7 to 8,000 people
23 there. We had over 187 employers there, 2,500 job openings,
24 and also high-speed rail was there also, because we do need
25 to make sure we get a workforce that is trained and ready to

1 go for this particular project.

2 Also, I wanted to point out that there's also
3 assistance available from the Economic Development
4 Corporation serving Fresno County for those businesses here
5 in Fresno. I wanted to point them to that organization in
6 order to help them outreach. And last, but certainly not
7 least, we want to invite anybody who is wanting to get
8 certified or if you are having trouble getting some service,
9 please give us a call at the chamber at (559) 495-4817. We
10 will dedicate some time to help bridge the communication gap,
11 although I feel that the communication gap for our point has
12 been very clear. And I want to commend one more time Diana
13 Gomez and Mr. Padilla for the work they have been doing here
14 in the Valley. Thank you.

15 CHAIRMAN RICHARD: Thank you, Mr. Hernandez.

16 Next is Randy Ghan, followed by Dave Mercer.

17 MR. GHAN: Morning, Mr. Chair, Commissioners. My
18 name is Randy Ghan. I'm the executive secretary/treasurer of
19 the Fresno-Madera-Tulare-Kings Central Labor Council
20 representing over 90,000 union families in our community.
21 Our Central Valley, unfortunately, for a number of years has
22 been a testament to an unusually high unemployment rate. Our
23 people suffer as a result of that. We see the high-speed
24 rail idea and advancement and progress and build out as an
25 answer to those unemployment concerns. We thank you for

1 being here. We thank you for bringing high-speed rail to our
2 community. We applaud your good work. We thank you for your
3 efforts, full speed ahead. Thank you so much.

4 CHAIRMAN RICHARD: Thank you, Mr. Ghan. I think I
5 slightly mispronounced your name, I apologize, sir.

6 Dave Mercer.

7 MR. MERCER: Hi, my name is Dave Mercer, I'm a
8 district representative for Operating Engineers Local 3 and
9 our -- my main point today, I just wanted to come forward and
10 say thank you for all your hard work. The Authority has
11 worked tirelessly on this project. Whatever your opinion is
12 about the high-speed rail, I don't think any of us can deny
13 the hard work that the Authority and the Board that you all
14 have done on this, and we appreciate that and we hope you
15 guys have success. Operating Engineers Local 3 supports the
16 high-speed rail and we support the Authority and the work
17 that you all are doing. Also appreciate, and I want to
18 mention what Mr. Rodriguez from the Madera County said, I
19 appreciate him coming forward saying he was dropping the
20 lawsuit. And one of the things that he cited, one of the
21 reasons was because of our unemployment rate. And I think in
22 Fresno County we're at 16, 18 percent, somewhere around
23 there, in our unemployment rate, and that's probably a
24 conservative estimate, and we feel that the high-speed rail
25 is definitely going to help out, not only our members, but

1 the citizens of the Central Valley get back to work, get back
2 on their feet and help our economy. And, again, we just want
3 to say thank you and continued success.

4 CHAIRMAN RICHARD: Thank you very much.

5 Let me just turn now to Sacramento. Are there
6 people who wish to speak on this item, Item 2? Vice Chair
7 Schenk in Sacramento.

8 VICE CHAIR SCHENK: There are no speakers in
9 Sacramento.

10 CHAIRMAN RICHARD: I just heard you say there are
11 no speakers on this item. Mr. Rossi in San Francisco.

12 MR. ROSSI: No speakers.

13 CHAIRMAN RICHARD: All right. All of the other
14 speaker cards I have here in Fresno are either general or
15 other items, if I'm incorrect on that, could you please come
16 forward right now. Could you state your name, please?

17 MS. ELIZABETH KOLSTAD: My name is Elizabeth
18 Kolstad, and I have a small business here in Fresno.

19 CHAIRMAN RICHARD: Okay.

20 MS. ELIZABETH KOLSTAD: I just wanted to say that
21 I'm very hesitant for you guys to appropriate more money,
22 especially millions of dollars, when I hate to say it, but
23 this meeting has been kind of a shamle. You want us to give
24 you millions of dollars to build a bullet train, but you
25 can't even run a simple meeting and have your members here.

1 It's kind of appalling that they couldn't even drive from San
2 Francisco and Sacramento to be here for this board meeting to
3 ask for another \$9 million on one agenda item and another 300
4 -- or 38.25 million on this current one. We're supposed to
5 trust you to put in this train, but you haven't given us
6 anything to have faith in so far. You guys actually aren't
7 even looking at the people when they come to speak, the
8 constituents, the people that voted on this, you're speaking
9 to each other. We can barely hear you guys here at this
10 point. I just want to say that I hope that you guys are
11 actually contemplating the changes in the additional funds
12 that you're asking for and not just doing this as a show.
13 You're actually listening to what the constituents have to
14 say, to what the voters have to say, since it's already so
15 far over budget from what they originally voted on as it was.
16 So, thank you.

17 CHAIRMAN RICHARD: Thank you. And I think, ma'am,
18 that you did not fill out a speaker form. If you did, I
19 apologize, but if you did not, if you could perhaps do that
20 so --

21 MS. ELIZABETH KOLSTAD: I'll do another one, sure.

22 CHAIRMAN RICHARD: Okay. All right. I have no
23 other speakers on this -- I'm sorry, excuse me, ma'am, come
24 forward.

25 MS. ERROTABERE: Hi, my name is Kate Errotabere.

1 CHAIRMAN RICHARD: Yes.

2 MS. ERROTABERE: I am a taxpayer living in Fresno.
3 Many years ago my husband and I signed a contract to purchase
4 a home, it was three bedroom, two bath, the American dream.
5 For several years we had lived in a crummy little apartment
6 in austerity saving every penny we could to put down a
7 50 percent down payment on our first little home. Now, we
8 signed the contract, if the builder would have come back to
9 us and said, "Oh, I'm sorry, that house is going to cost
10 twice as much, it's going to cost \$60,000. Oh, and by the
11 way, you don't get that second bathroom," we would have said,
12 "No, we can't buy that house." Even if they said, "Oh, it's
13 okay, you can take out bonds, you can sell bonds, you can
14 borrow the money." No, no one would be that stupid to still
15 buy that house knowing that we couldn't afford it. No one
16 with an ounce of responsibility and common sense would saddle
17 themselves with that much debt, but apparently we elected a
18 few people that could do something that stupid. I ask all
19 city council members and county board of supervisors, I know
20 that's not you, but I hope they're listening, to pass
21 resolutions against high-speed rail. In Fresno we have one
22 business alone where the city will lose \$12 million a year
23 tax money from losing that one business. Yes, we say "Oh, we
24 can get the money from the feds." The feds are borrowing 46
25 cents on every dollar, is that what you want to do to our

1 children, no. Thank you.

2 (Applause from the audience.)

3 CHAIRMAN RICHARD: Thank you, Mrs. Errotabere.

4 Now, actually I had that down as under -- well,
5 we're going to close on this item and everybody is going to
6 have their opportunity to speak. I'm going to have the next
7 item include all the general comments, as well, at that
8 point. So with that, questions for the staff from members of
9 the Authority Board. Let me start in Sacramento. Ms. Schenk
10 or Mr. Hartnett? Okay. Mr. Rossi in San Francisco?

11 DIRECTOR ROSSI: Yes, I have a couple. First of
12 all, you know, this is -- if I've got this right,
13 Mr. Morales, we are looking at about a 40 percent increase on
14 this contract and I'd like to understand why there is such --
15 why that number is that much of an increase, given the four
16 points that are to be covered on Page 3 of the presentation.
17 And I'd also like to know on Page 1 of the presentation, I'm
18 not sure I understand the difference between a time-sensitive
19 contract and a work product or deliverable, I'm not sure I
20 know how that -- how you differentiate between those two
21 types of contracts, so could you just fill me in on those,
22 please.

23 CHAIRMAN RICHARD: Can you repeat the second part,
24 Mr. Rossi?

25 DIRECTOR ROSSI: Yes. If you look at the third

1 paragraph, Page 1, you go down to the last line on the third
2 paragraph it says "It is important to note that the extension
3 is not based solely on a specific time, but rather
4 deliverable (inaudible) given that the contract has a time
5 frame fixed for maturity," I'm not sure what that means, so
6 I'd like to have that explained.

7 MR. MORALES: The point of that discussion,
8 Mr. Rossi, is that the amount in the contract is not a
9 guaranteed amount to the contractor, it is an up-to amount
10 and the actual amount paid will be based on the actual work
11 delivered and product delivered, and so that was the intent
12 of that paragraph there. In terms of the increase --

13 DIRECTOR ROSSI: Hold on a second, Jeff. That may
14 be the intent, but I'm still not sure what that means. If,
15 in fact, there is a deliverable and there is -- (inaudible.)

16 CHAIRMAN RICHARD: All right. Excuse me, you know
17 what, we're going to take a five-minute recess and I'll have
18 the staff do whatever they have to do to get this audio
19 properly fixed. I don't care what it is. I don't care who
20 as to be moved. We're not going to conduct the meeting this
21 way, so we'll take a five-minute recess and I'm going to be
22 strict about the five minutes and I want somebody to get this
23 problem fixed right now so we can conduct public business.
24 Thank you.

25 (Break in the proceedings.)

1 CHAIRMAN RICHARD: If I could ask everybody to take
2 their seats, please. Before we do anything, can I just ask
3 people to take their seats. Let me start with this, I want
4 to start by --

5 (Discussion held.)

6 CHAIRMAN RICHARD: Ladies and gentlemen, first of
7 all, let me start with an apology. You folks have taken time
8 out of your day, you've come here these important issues.
9 You've come here to speak to us, and obviously what we
10 thought was a reasonable plan to try to maximize the
11 participation of people who wanted to speak on the issues in
12 the Bay Area and Sacramento, turned into something other than
13 that. So I want to start with a sincere apology to you for
14 the difficulties we've had. I've been told -- I cannot
15 promise you at this point that the speaking from members of
16 the public from the other locations will be any better,
17 however, we are just about done with this second item and
18 when we finish that, the rest of the meeting will be focused
19 on the issues right here in the Valley with the comments that
20 you have. And the other change we are going to make is that
21 I'm simply consolidating all the comment period, we'll take
22 all comments on the remaining items all at once so there will
23 be no confusion about who is speaking on what item. You can
24 tell us which one you care about, but we're going to make
25 sure that nobody gets left out, so we will consolidate all

1 comments up front. So, again, my sincere apologies on behalf
2 of my colleagues for the technical difficulties this morning.

3 Before we move back to the agenda, Vice Chair
4 Richards has an announcement he'd like to make.

5 VICE CHAIR SCHENK: Thank you, Mr. Chair. I just
6 wanted to let you know that with regards to where you are
7 parking, I don't know where it might be, but on the north
8 side of the city hall building, parking has been relaxed. So
9 if you are parked elsewhere and you are concerned about being
10 here too long, parking on the north side of the city hall is
11 relaxed and you shouldn't have problems with meters or
12 anything over there. So thank you.

13 (Discussion held.)

14 VICE CHAIR RICHARDS: It's just on the north side
15 of this building, the very north between here and Fresno
16 Street.

17 CHAIRMAN RICHARD: All right. With that, when we
18 took the break, Mr. Rossi was trying to ask a question to
19 Mr. Morales. What I asked Mr. Rossi to do, so that we can
20 maximize the opportunity to hear this, was I asked him to
21 direct his comment or question to Mr. Morales directly by
22 telephone, which he did, and I'll ask Mr. Morales now to
23 repeat the question and to provide the answer. Mr. Morales.

24 MR. MORALES: Thank you, Mr. Chairman. The
25 question Mr. Rossi was asking was about the fact that we've

1 written in a memo that this is a task-based contract. He
2 wanted to clarify that there are time constraints attached to
3 the contract, and that is the case. It is a -- the proposed
4 extension is a two-year extension, and the tasks are expected
5 to be completed within that time frame. If they are not,
6 that would be beyond the term of the contract and, therefore,
7 would not be able to continue them. So it is task driven,
8 meaning that actual payment will be based on time and labor
9 spent on actual product delivery, but within the two-year
10 extension that is provided.

11 CHAIRMAN RICHARD: All right. Any other questions
12 for Mr. Morales? Mr. Rossi, that was your question. Vice
13 Chair Schenk or Mr. Hartnett, if you have any questions,
14 please ask them now. Okay. No questions. And then from the
15 Board here, Vice Chair Richards.

16 VICE CHAIR RICHARDS: Yes, thank you, Mr. Chairman.
17 I just want to clarify, Mr. Morales, when we talk about
18 earlier that we're within budget in both the allowance under
19 Proposition 1A and our revised business plan. So the action
20 that is being proposed today, as I understand it, then, is
21 consistent with both those. And, in fact, when we worked
22 last year long and hard on the revised business plan, which
23 ultimately was approved by us and was the based on which the
24 legislature enacted last summer, that, in fact, these
25 increases were contemplated in that business plan; is that

1 correct?

2 MR. MORALES: That is -- and just some
3 clarification. Typically, these activities are -- for any
4 capital project typically in the range of 7 to 12 percent,
5 that's nationally and throughout California, higher for more
6 complex projects where there may be more planning and
7 environmental work. Proposition 1A specifically provided for
8 10 percent of the available funds to be spent on these
9 activities. We are well within that, we are less than a
10 third -- approximately a third of the way through those
11 available funds under Proposition 1A and we are well within
12 the figures that were included in the cost estimate that was
13 in the business plan last year.

14 VICE CHAIR RICHARDS: So thank you. So we're
15 within those, but it doesn't necessarily mean that, as the
16 Authority or this Board, that we then have some level of
17 comfort in that we've got more money to spend, so that's not
18 the purpose here either. And, in fact, as I understand it
19 with both the item that we discussed earlier and acted on on
20 this one, that these increases, as were contemplated in the
21 business plan last year, have been more or less the result of
22 changes in scope of this project. As I asked in the last
23 item with regards to additional environmental studies on the
24 Wye in the Chowchilla area, and in this item with regards to
25 renotice -- or recirculating the EIR that we have been

1 working on intensely since then, which has caused increases
2 in the expectations for what the environmental work was going
3 to cost here, but in both cases, as you've just stated
4 clearly, we are within the constraints that were provided for
5 in Prop 1A and are consistent with the business plan which we
6 approved last year.

7 MR. MORALES: Yes, that is correct. And I would
8 also say we're comfortable that we are managing well within
9 that and comfortable that on a percentage basis, again, we're
10 where we should be, we're slightly better than on pace, fully
11 cognizant that on a program of this scale percentages
12 translate into large absolute amounts. And so the item that
13 will be coming up, for instance, on the Wye, one of the
14 reasons that we have pushed hard to reduce the number of
15 options being carried forward for further review is to not
16 study alternatives that we know won't make it through the
17 next phase, because carrying multiple alignments wastes money
18 and wastes time. So it is something we're not content to say
19 we're within the percentages, we are absolutely still looking
20 to streamline the process, be as responsive as we have to be
21 to public concerns, to community concerns and to comply with
22 the law, but, again, to do so as efficiently as we can.

23 VICE CHAIR RICHARDS: Thank you.

24 CHAIRMAN RICHARD: Any other questions? All right.
25 With that, is there a motion on this item?

1 VICE CHAIR RICHARDS: Move for approval.

2 MEMBER PEREZ-ESTOLANO: Seconded.

3 CHAIRMAN RICHARD: It's been moved by Vice Chair
4 Richards, seconded by Ms. Perez-Estolano. Will the secretary
5 please call the roll?

6 BOARD CLERK MOORE: Vice Chair Schenk?

7 VICE CHAIR SCHENK: Yes.

8 BOARD CLERK MOORE: Vice Chair Richards?

9 VICE CHAIR RICHARDS: Yes.

10 BOARD CLERK MOORE: Mr. Umberg? Absent.

11 Mr. Hartnett?

12 MEMBER HARTNETT: Yes.

13 BOARD CLERK MOORE: Mr. Rossi?

14 DIRECTOR ROSSI: Yes.

15 BOARD CLERK MOORE: Ms. Perez-Estolano?

16 MEMBER PEREZ-ESTOLANO: Yes.

17 BOARD CLERK MOORE: Chairman Richard?

18 CHAIRMAN RICHARD: Yes.

19 Okay. Item 2 is done. Now we are going to turn to
20 the next two items, which are the primary reason that we are
21 here, which is to address issues affecting the various
22 alignment options that are being considered. So, as I said,
23 I'm simply taking all of the speaker forms in order combined,
24 whether they're for Items 3 or 4, so that we can make sure
25 that we don't inadvertently overlook anyone and I'm just

1 going to proceed in order. We would ask people to try to
2 respect the two-minute clock. We do want to hear from you,
3 but we want to make sure that we're able to hear from
4 everybody. So with that, we'll start with Norman Allinder,
5 followed by Thomas Skinner and Brad Johns.

6 MR. ALLINDER: Norman Allinder, Madera County
7 Planning Director, here today to speak on Item 3 about the
8 Wye. As our supervisor said earlier eloquently, we're at the
9 intersection of this thing, right? It comes in our county.
10 I don't know any other jurisdictions that have a Wye such as
11 this that can have up to a thousand acres inside of a
12 triangle. So as we've said, we do receive a lot of impact
13 without a station, but we are at the perfect site to have a
14 heavy maintenance facility, a light maintenance facility, a
15 dispatch center. What better spot to be more efficient than
16 at the intersection of the north, south, east and -- or
17 north, south and the east. So we would suggest
18 wholeheartedly that the rural nature that you chose to put
19 the Wye in also lends itself to these types of facilities,
20 and these are the most efficient places to put them. Our
21 staff stands ready to work with your staff to make that come
22 to fruition. With that said, the details regarding future
23 opportunities, we would love to have more details as soon as
24 possible. We appreciate Mr. Morales and Diana being
25 forthcoming with us, but we keep learning more and more as

1 the days go on, so the more technical information we can get
2 sooner that's helpful to Madera County. And with respect to
3 business relocation, that's been talked about earlier, if you
4 are a displaced business and you're looking for a favorable
5 regulatory environment, there's a one-stop shop for you,
6 that's Madera County, 675-7821, call my department, we'll be
7 happy to accommodate you.

8 Thank you very much.

9 CHAIRMAN RICHARD: Thank you very much, sir. We
10 appreciate that.

11 Thomas Skinner, followed by Brad Johns, followed by
12 Mark Williams.

13 MR. SKINNER: Good morning, Mr. Chairman, members
14 of the Board. My name is Thomas Skinner from Valley Planning
15 Consultants in Madera, California. We submitted written
16 material to back up this summary statement. With regards to
17 the Board's consideration of the supplemental alternative
18 analysis for the Central Valley Wye, I request that the Board
19 direct an additional east side alternative be recalled for
20 analysis. This prior alternative is the A-4 alternative
21 considered in 2009 modified to utilize the western route as
22 proposed in Road 18 Wye in the study we are considering
23 today. We've submitted a diagram for your use and
24 consideration. We feel, along with several major property
25 owners in this area, that the Road 21 and Road 23 Wye are

1 superior for the following reasons: They do not conflict
2 with the Chowchilla general plan. They support general plan
3 growth balanced growth policies. They require few street
4 over-crossings. They are located on poor agricultural soil
5 preserving the west side quality soils. They need only two
6 crossings of Highway 99 and UPRR. They have fewer bridge
7 crossings -- stream crossing with bridges, rather -- or
8 bridges of stream crossing, excuse me. Utilizing an existing
9 railroad corridor for a longer distance, more than a mile,
10 they are about a half a mile longer than the Road 18
11 alternative Wye and may provide overall construction savings
12 compared to the Road 18 Wye, particularly in right-of-way
13 structures and accessibility.

14 Thank you for your time.

15 CHAIRMAN RICHARD: Thank you very much, sir.

16 DIRECTOR ROSSI: Excuse me, Mr. Chairman.

17 CHAIRMAN RICHARD: Yes, Mr. Rossi.

18 DIRECTOR ROSSI: I do have one gentlemen here for
19 public comment in San Francisco.

20 CHAIRMAN RICHARD: Yes, I was -- what I was going
21 to do I had announced these next two speakers, I'm going to
22 let them speak and then I was going to turn to San Francisco
23 and Sacramento, so I'll be right there.

24 DIRECTOR ROSSI: Thank you.

25 CHAIRMAN RICHARD: Okay. So next is Brad Johns,

1 followed by Mark Williams and then we'll go to speakers in
2 Sacramento and San Francisco.

3 MR. JOHNS: Good morning, I'm Brad Johns, I'm a
4 third-generation farmer from Kings County. I support
5 high-speed rail in all of its intent and I really am urging
6 you go for eastern alignment --

7 CHAIRMAN RICHARD: Hold on one second, Mr. Johns.
8 Can everybody hear Mr. Johns?

9 (Chorus of noes.)

10 CHAIRMAN RICHARD: Could you speak into the
11 microphone more closely.

12 MR. JOHNS: Okay. Can do.

13 CHAIRMAN RICHARD: Thank you, sir.

14 MR. JOHNS: I'm Brad Johns, I'm a third-generation
15 farmer from Kings County. I am urging you to adopt an
16 eastern alignment, as it goes through Kings County. There
17 are multiple side issues that high-speed rail can bring to
18 our county that are positive things that will happen for us.
19 The western alignment is going to run into some problems as
20 you get up into the Laton area as far as Indian burial
21 grounds go. It will run into direct conflict with a major
22 developer that's building on the west side of Hanford. The
23 east side of it, I've already talked to and I have a list
24 here and I've given it to Diana, I've already cleared you
25 roughly about five miles of track on the east side that the

1 growers are willing to do business with you. We welcome you
2 there. We think you guys are going to help us earn our way
3 back to prosperity in the State of California.

4 So thank you so much and we're urging an east side
5 alignment, please.

6 CHAIRMAN RICHARD: Thank you, Mr. Johns.

7 Mark Williams.

8 MR. WILLIAMS: Yes, I work out at Del Monte in
9 Hanford. I've worked out there for 25 years and I --

10 CHAIRMAN RICHARD: Speak into the microphone.

11 Thank you.

12 MR. WILLIAMS: -- and I've lived in Hanford for 46
13 years. I'm speaking for Kathleen Jorgenson, it has 15
14 members who has her speak for the chair of the Kings County
15 Democratic Central Committee. As a long-time resident of
16 Hanford, I would like to address this commission concerning
17 the selection of the route for the high-speed rail. I want
18 you first to know that the group of about 15 attended a
19 Hanford city council meeting in December of 2012 to request
20 that the council send a route preference to your commission,
21 and that that preference to be the eastern alignment. Our
22 reasons were as follows: One, the eastern route would be
23 less disruptive to the City of Hanford. The growth of the
24 city is mainly to the west and the route to the west would be
25 more descriptive -- disruptive to the city services. Two,

1 the City of Hanford has received a large amount of developer
2 fees for development to the west and we were very concerned
3 that the train going to the west would cause legal liability
4 to our city. Three, the eastern route would be more -- a
5 regional route and would be used by people from Visalia,
6 Tulare and other communities to the east of Hanford. Four,
7 we have a large mostly empty industrial park on the east side
8 of Hanford and there has been at least one large company
9 interested in bringing in jobs related to the rail system and
10 locating in the industrial park if the route is to the east.
11 When we went back to the council in January we hoped that
12 they would decide to submit a preference, however, there was
13 a large contingent from the anti-HRS group and the majority
14 of the council did not have the resolve to make a decision in
15 the face of the group opposing the project. There was one
16 brave councilman who -- person who wanted to select the
17 eastern route, however, the others did not have the courage
18 to act.

19 CHAIRMAN RICHARD: Excuse me, Mr. Williams, could I
20 just ask you to wrap up, sir. You can certainly submit that
21 letter to the record, it will submitted to the Board.

22 MR. WILLIAMS: Right. Okay. Thank you.

23 CHAIRMAN RICHARD: Okay. Thank you very much.

24 All right. Mr. Rossi, I understand we have one
25 person in San Francisco who would like to address these

1 issues.

2 DIRECTOR ROSSI: Yes, Mr. Benjamin Hanelin.

3 MR. HANELIN: Good afternoon, Benjamin Hanelin of
4 Latham & Watkins on behalf of Coffee-Brimhall, LLC, and World
5 Oil Corp. World Oil and Coffee-Brimhall understand the
6 importance of your efforts to build a viable high-speed rail
7 line and appreciate the benefits that could accrue to the
8 Bakersfield region by being better connected to other
9 economic centers in the state. However, we are concerned
10 that the proposed alignment will create significant but
11 avoidable impacts to Bakersfield and is creating unnecessary
12 opposition. World Oil has a long history with the
13 Bakersfield community and is working to help it recover from
14 the great recession. Working with the city and the
15 community, our property is being developed with a fabulous
16 new mixed use project on over 250 acres that includes a new
17 shopping center, theatre complex and a new state of the art
18 baseball stadium for the Bakersfield Blades. The proposed
19 alignment cuts right through this property and threatens a
20 significant investment, as it does homes, churches and
21 businesses. The good news is that there are solutions. We
22 think that this Board and your new executive director, Mr.
23 Morales, can work with the city and the community to create
24 an alignment that serves the city's residents and HSR. We
25 ask that the Board direct its staff to bring forward an

1 alignment option that stops at Shafter. We believe
2 that staff can bring forward an alternative in the final EIR
3 to have the interim segment to Shafter and move any decision
4 on the Bakersfield section to the Palmdale EIR. Other
5 alignment options, including options outside the city center
6 that can avoid significant environmental and community impact
7 should be studied. We would like to work with your staff and
8 legal counsel to solve the issues that will allow the Board
9 to move forward (inaudible) Shafter now while protecting the
10 interests of HSR and the community. We respectfully request
11 that you direct staff to work with us so we can accomplish
12 this in a way that avoids impact to communities.

13 Thank you.

14 CHAIRMAN RICHARD: Thank you very much, sir. I
15 understand we have, I believe, two speakers in Sacramento.
16 Why don't we turn to them now, Vice Chair Schenk, and I think
17 we're having most of our audio problems from Sacramento. So
18 if you could ask these people to please speak slowly and as
19 much into the microphone as possible, that would be
20 appreciated.

21 (Inaudible.) 2:04

22 CHAIRMAN RICHARD: Could I ask you to please try to
23 finish up at this point.

24 2:07:10 (Inaudible.)

25 CHAIRMAN RICHARD: Thank you.

1 (Inaudible.) 2:08:00

2 CHAIRMAN RICHARD: And let me just point out for
3 everybody that all of the comments are being recorded at
4 their locations. They will all be available to all the Board
5 members and be part of the record. So even though we are
6 having some difficulties here, this is part of the public
7 record of these proceedings. So, yes, please proceed.

8 (Inaudible.) 2:08:06 - 2:10:05

9 CHAIRMAN RICHARD: Thank you, Mr. Schregal. So we
10 have no other speakers there, we will return here to Fresno.

11 Mary Jane Fagundes, followed by Bob Snoddy, and
12 that will give me time to see if I can decipher this next
13 one.

14 Good afternoon.

15 MS. FAGUNDES: Hello, my name is Mary Jane
16 Fagundes, I'm from Hanford. I went to my first Board meeting
17 of the high-speed rail in Bakersfield in 2011. I will
18 reiterate what I stated then and that is that you, the
19 High-Speed Rail Board Authority, are like snakes slithering
20 on the ground. And as the Bible says, those snakes will
21 slither on the ground on their bellies eating dirt all the
22 days of their lives and then their heads will be crushed.
23 And I hope the Prop 1A lawsuit that is to be heard this May
24 will crush those heads. High-speed rail is like a weapon of
25 mass destruction as it comes through Kings County, which is

1 ground zero for us. It will destroy our agricultural
2 community. You, the High-speed Rail Board Authority, are
3 like the thief in the night that commits a crime and tries to
4 steal away from the honest people and runs nilly-willy on a
5 high-speed chase darting here and there, running into
6 roadblocks and just diverting in another direction, and this
7 is all at the cost of the taxpayers who pay for your lack of
8 responsibility and greed. You, the High-Speed Rail Authority
9 Board, along with all of your consultants, engineers and
10 lawyers are so desperate for this money grab that you are
11 spending or attempting to spend approximately, on average,
12 \$2.4 million a day. Again, \$2.4 million a day between now
13 and 2017 in order to get the next chunk of taxpayer money to
14 waste. Again, high-speed rail is a weapon of mass
15 destruction and needs to go away, even if under cloak of
16 darkness, much the way it attempted to come to our county in
17 January of 2011 when no one at the time was wiser, but
18 fortunately, as we are a small community, one person talked
19 to another and discovered then that you, the Board, were
20 already slithering and snaking your way in under our noses
21 with that first EIR attempt. So whether you make your
22 recommendation for either the east or west alignment through
23 Kings County, just know this, we don't want you in our county
24 and our fight for good against evil will continue and justice
25 will prevail.

1 (Applause from the audience.)

2 CHAIRMAN RICHARD: Thank you. Bob Snoddy.

3 MR. SNODDY: Thank you. Good afternoon. My name
4 is Bob Snoddy and I'm a regional planner for Kern Council of
5 Governments. First I want to remind the Authority members
6 that Kern Council of Governments, the Cities of Bakersfield,
7 Shafter, Wasco and the County of Kern's elected officials and
8 staff have supported and worked closely with the High-Speed
9 Rail Authority and staff for over 20 years. However, today I
10 am here to inform you that the Kern Council of Governments
11 will be drafting a resolution to inform you that for our
12 board in May opposing your staff's preferred alignments
13 through Kern County. I'm also here to report inconsistencies
14 in your staff's reporting of our collective local comments
15 regarding the preferred alignments you are considering this
16 afternoon and to urgently request continued cooperation and
17 planning efforts to avoid unnecessary harm to communities and
18 properties in Kern County. In the California high-speed rail
19 train project EIR/EIS preliminary staff recommendations
20 document that you have before you today, your staff states on
21 Page 2-1, Section 2.0, and also on Page 2-2, Section 2.2, the
22 project area local governments the following: "The City of
23 Bakersfield, Kern County and the Kern Council Governments do
24 not support a high-speed train alignment through the downtown
25 Bakersfield with a downtown station. They wish to see an

1 alignment that bypasses downtown Bakersfield with a station
2 on the outskirts of the city."

3 I personally checked with the staff in the City of
4 Bakersfield and County of Kern to confirm this finding,
5 although both agencies have identified in resolutions and
6 also with meetings with your staff concerns about properties
7 located in the downtown area that would need mitigation,
8 neither agency or Kern Council of Governments has taken an
9 official position to that effect. Today I'm providing you
10 with copies of a letter our staff sent to Chief Executive
11 Officer Morales on March 20th, 2013 explaining exactly what
12 concerns Kern Council of Governments staff, and has the
13 Authority's staff alignments for Fresno to Bakersfield
14 section and what we recommend is possible mitigations. We
15 have also shared this information with staff from the BSNF
16 Railroad. We also would appreciate delaying your fourth RFP
17 to our area until these issues can be resolved. We
18 appreciate the opportunity to speak to you today and
19 appreciate Mr. Morales' invitation to meet with our executive
20 director next week to discuss this.

21 CHAIRMAN RICHARD: Thank you, Mr. Snoddy, we
22 appreciate that and look forward to working together on those
23 issues.

24 I believe the next person, and I apologize, is it
25 John Guinn of Shafter? And he will be followed by Alan Scott

1 and then and John Gardiner. How did I do with your name,
2 sir?

3 MR. GUINN: Very well --

4 CHAIRMAN RICHARD: Thank you.

5 MR. GUINN: -- which is unusual, so thank you.

6 I am John Guinn. I'm the city manager from the
7 City of Shafter, and I want to thank the Authority for this
8 opportunity. I'm here today with our mayor, Jon Johnston,
9 and Council Member Fran Florez. As many of you know, Council
10 Member Florez was a long-time member of the Authority. I
11 know a number of you have been to Shafter and have seen the
12 various alignments that are being considered. Today we want
13 to emphasize that the city is -- prefers the BN alignment,
14 rather than the bypass alignment. The bypass alignment has
15 very devastating impacts on our community. For those of you
16 have been at our industrial areas where the community has put
17 a lot of effort into developing rail infracture, freight rail
18 infracture, as well as jobs, we have areas that have well
19 over 5,000 jobs with numerous companies coming today, the
20 bypass alignment will have a -- can have a very, very
21 detrimental impact on that. We believe that the BN alignment
22 is much preferred over the bypass alignment. I did bring a
23 letter that just reemphasizes some of the resolutions and
24 letters that you have received previously that says the City
25 of Shafter prefers the BN alignment over the bypass

1 alignment.

2 Thank you.

3 CHAIRMAN RICHARD: Mr. Guinn, thank you. And first
4 of all, I believe we met the day that Mr. Morales and Vice
5 Chair Richards and I spent reviewing these issues in the
6 Wasco-Shafter area, and we certainly appreciated your doing
7 that. And thank you also for reminding me of something I was
8 very remiss on, which I meant to do at the outset, which was
9 to recognize and acknowledge our former colleague, Fran
10 Florez, who spent nine years on this Board. So I apologize,
11 Ms. Florez, for that and thank you, Mr. Guinn for reminding
12 me. Thank you.

13 Mr. Scott, good afternoon. And followed by John
14 Gardiner.

15 MR. SCOTT: Good morning, Mr. Chair -- excuse me,
16 good afternoon.

17 CHAIRMAN RICHARD: Regrettably, it's already
18 afternoon, Mr. Scott, we're sorry.

19 MR. SCOTT: Okay. Good afternoon, sir. To the
20 Board. I'm going to stick to the same thing that I've always
21 stuck to, and that is money. I'm going to address this to
22 the Governor, he is in charge of our taxpayer money. Yes,
23 there are people that are under him, subordinate to him that
24 take care of supposed to give him report. Ms. Elaine Howle,
25 the state auditor, who I think is just a champion for the

1 taxpayer of this state, issued a report the other day on a
2 balance sheet, a very simple process, this much in, this much
3 out, this is how much we're worth and then she says in the
4 end we are in negative \$126.2 or 127.3 billion in the
5 negative. So let's just pause for a second and say "Does
6 that include the high-speed rail?" And I say no, because we
7 haven't done it yet, but we know what the projection is going
8 to be and the Bay Bridge was built at a seven-times cost
9 making it going from 1 to 7 billion. So anticipating it's 78
10 -- or 68 billion times 7, we're up in the \$400-some odd
11 billion of cost, not counting interest and not counting the
12 repayment of the loans. So my concern is I think we're
13 premature. I don't think we have a good plan. With this
14 money talking that was going on today, I have no idea where
15 this money is coming from, what funds, is it already been
16 issued, is it borrowed, is it whatever. It's a mystery.
17 It's like what we said in the service, what are we having for
18 breakfast, mystery meat. Well, I think we're having a lot of
19 mystery meat. I'm not picking on anybody, I'm just saying
20 that you have a responsibility to me and everyone behind me
21 to spend my money right. I'm probably going to leave this
22 earth in a few years, but my kids are going to take a hit and
23 I'm tired of it. And two of your directors, Ms. Stromberg
24 and Mr. Pringle said in Bakersfield that their grandchildren
25 are going to enjoy this. I'm sorry, they're going to pay for

1 it.

2 And that's all I have to say and thank you for your
3 time.

4 CHAIRMAN RICHARD: Thank you, Mr. Scott.

5 (Applause from the audience.)

6 CHAIRMAN RICHARD: John Gardiner and followed by
7 Charlene Hook.

8 MR. JOHN GARDINER: Good afternoon. My name is
9 John Gardiner, and I'm the manager of Heritage Equipment
10 Company based in Wasco down in Kern County. We're a custom
11 farming service provider providing service for about 11,000
12 acres in the Shafter-Wasco area. One of our biggest concerns
13 are the number of road closures in the Shafter-Wasco area.
14 These closures clearly support selecting the BNSF, as we
15 would have 11 closures in the rural area significantly
16 impacting movement of cars, trucks, tractors, equipment in
17 the area. On the BNSF there are no road closures, which
18 means no one in our community would be impacted. We have
19 requested information on the locations of the road closures,
20 but have not received any information yet, so it is difficult
21 at this time to attach cost to this impact.

22 Thank you.

23 CHAIRMAN RICHARD: Thank you, Mr. Gardiner.

24 Charlene Hook.

25 MS. HOOK: Charlene Hook from Corcoran, California.

1 Good evening. Prop 1A was on the general election
2 November 4th of 2008 as an initiative bond measure, not a
3 statute. You do not get flexibility with an initiative.
4 What you, the Authority, are doing now constitutes an illegal
5 expenditure of Prop 1A funds. Everything with HSR is
6 speculative and lots of assumptions. Current focus on
7 government to reduce federal spending is uncertain. The HSR
8 will receive any funding. The blended system is a major
9 catastrophe waiting to happen and not approved under Prop 1A.
10 Using funds for HSR to fly over our community, and I just
11 learned it's called Friendly Acres, at least three times a
12 week to take pictures of the area brings a question. Are the
13 Authority wages and all the dog and pony shows being paid out
14 of the state funds? No response. Okay. If so, what a waste
15 of a way to use state money from taxpayers and a waste of
16 this meeting to only receive the deer in the headlight looks
17 from all of you. Once you tear everyone out of their homes,
18 property, dissect farm land and destroy dairies, is there no
19 more money, then what, say "Gee, I didn't see that coming."
20 "And in the meantime you've ruined a lot of taxpaying
21 citizens' lives, will it really be worth it then. Anyone
22 involved in this directly has a lot to lose, livelihood,
23 homes, everything. Everybody that's for it has nothing to
24 lose.

25 (Applause from the audience.)

1 CHAIRMAN RICHARD: Thank you, Ms. Hook.

2 The next speaker is Darlene Rodriguez, followed by
3 Karen Allen.

4 MS. RODRIGUEZ: Good afternoon. My name is Darlene
5 Rodriguez, I live in Corcoran in the Corcoran bypass area.
6 And I am one of the three sisters that's going to be affected
7 that Richard Valle told you guys about. I understand what's
8 going on, but I have a question for you, it's a very serious
9 question. Farmers can go out and plant their fields and it's
10 not affecting us a whole lot, but have you guys done any
11 studies at all on the Valley fever fungus that you're going
12 to be bringing up when you start digging in the ground? What
13 it's going to do is it's going to effect those people whose
14 health problems right now are already in great demise.
15 Myself, personally, two family members, I almost lost my son
16 to Valley fever. I have a brother-in-law whose had Valley
17 fever twice. What's it's going to do some elderly individual
18 who is already ill. It's been proven with the Valley fever
19 fungus. Look at the prison system when they started building
20 and it affected all the inmate population and it affected
21 staff and members also. I don't want to be one of those
22 individuals. I don't want my sisters to be one of those
23 individuals. I don't want any of my family members to be one
24 of those individuals. It's horrendous the treatment they
25 have to go through. So if you can answer that question for

1 me, I would greatly appreciate that. What is the health
2 affect? That's what I want to know.

3 Thank you.

4 CHAIRMAN RICHARD: Thank you.

5 (Applause from the audience.)

6 CHAIRMAN RICHARD: The next speaker is Karen Allen,
7 followed by Karen Stout.

8 MS. ALLEN: Good afternoon. My name is Karen
9 Allen. I said this all before, but you didn't listen then,
10 so you're probably not going to listen now. I live in Kings
11 County in the Corcoran bypass alignment. For over two years
12 we don't know what's going on and that's making all of us
13 physically and mentally sick. We don't know if we can fix
14 our roof, if we can plant a tree or what. In our community,
15 people there have lived there for 20 to 60 years and they're
16 all elderly, and for them to try and move is really going to
17 be hard on them. California is broke and still you insist on
18 going on with this rail. Put this rail money towards the
19 bridges and the roads that we need. Okay. The speaker from
20 Madera said let's all come together and make this project
21 work. Well, I wonder if he would have a different outlook if
22 it was going through his business, farm land and his living
23 room. And a lot of towns around California, they're going
24 bankrupt. Help them. Forget this rail. It's not the time
25 to have it right now. And, Mr. Richards, you said just at

1 this meeting you were trying to do it the right way.
2 According to Proposition 1A, you're not doing it the right
3 way. Do it right. Stay out of Kings County, we don't want
4 you and we don't need you here. Please, just go somewhere
5 else.

6 Thank you.

7 (Applause from the audience.)

8 CHAIRMAN RICHARD: Karen Stout from Laton, followed
9 by Mike Olmos from the City of Visalia.

10 MS. STOUT: I'm going to just address Governor
11 Brown, as well, and the Authority Board. My name is Karen
12 Stout and I'm a resident farmer of Kings County and a member
13 of the Citizens For California High-speed Rail
14 Accountability. The bonds that were just issued and approved
15 on Good Friday are illegal. There's nowhere in Prop 1A that
16 says that the now planned high-speed rail system can be
17 blended with any existing rail system. To this point,
18 Proposition 1A states that it is a one-seat ride from San
19 Francisco to Los Angeles. This would not be true. The
20 proposed high-speed rail system you are planning is not what
21 the citizens of California voted for in 2008. Your plans now
22 are so far from Proposition 1A description that any funds or
23 bonds of the state for this proposition would be illegal to
24 use on your high-speed rail project. In regards to the
25 alignment you prefer through Kings County, the citizens of

1 Kings County stand against any alignment through Kings
2 County, because you have other alternatives, for example,
3 Interstate 5 or Kings County's Lassen Avenue with its poor
4 farm ground. You have not planned wisely and you have not
5 been concerned about the State of California's high
6 money-making industries, agriculture and dairy. Because you
7 have stubbornly failed to ask for local input beforehand, you
8 have a poorly planned project. Stop your project now before
9 anymore funds are wasted or illegally used.

10 (Applause from the audience.)

11 CHAIRMAN RICHARD: Thank you, Ms. Stout.

12 MR. OLMOS: Good afternoon. I'm Mike Olmos, I'm
13 the assistant city manager for the City of Visalia and I'm
14 here on behalf of Mayor Amy Shuklian and the city of council
15 of the City of Visalia. We're a city of about 130,000
16 residents and we are the largest city in the Tulare County
17 and Kings County region to be served by the future potential
18 Kings-Tulare regional station. Visalia has been actively
19 engaged in the high-speed rail project for at least ten
20 years. Our council has consistently taken the long view on
21 this project. They believe that if the rail alignment moves
22 through our region the station connection at a convenient
23 location would improve connectivity to other regions of the
24 state and improve access for business, education, medical and
25 other purposes. This could help us improve our high

1 unemployment rate, our high poverty levels, our low
2 educational attainment rates and help us with other issues,
3 as well. Early on our region was disappointed that we were
4 not going to have a station designation, and we came to you
5 and explained that, given our situation, our population
6 growth that a designation was appropriate. There are over
7 600,000 people living in the Kings County and Tulare County
8 area. You work with us and there is now a designation on the
9 route for a potential rail station, which we greatly
10 appreciate. However, we are troubled with the recommendation
11 that is now coming before you by your engineering staff. We
12 are now being requested to approve a station location in the
13 alignment west of Hanford. We understand that there is
14 engineering analysis that has led to that conclusion, but we
15 believe that it works integral to maximize ridership along on
16 the high-speed train system. In our area about three-fourths
17 of the population of that 600,000 people lives either along
18 or east of Highway 99. The population concentrations in the
19 south Valley are all to the east. Tulare County is about
20 450,000 people will be looking to use that Hanford station.
21 We believe that a station location east of Hanford will be
22 closest to the largest number of people in our region. We
23 believe that ridership will be maximized in our region if you
24 will approve the east alignment and a station location east
25 of Hanford. I provided for you a letter from our mayor, Amy

1 Shuklian, that explains -- that goes into more detail on our
2 position.

3 So with that, I thank you for your time.

4 CHAIRMAN RICHARD: Thank you very much, Mr. Olmos,
5 we appreciate that.

6 (Applause from the audience.)

7 CHAIRMAN RICHARD: The next speaker is Stan Wilson
8 and followed by Ben McFarland.

9 MR. WILSON: Hi, my name is Stan Wilson and I'm a
10 landowner and --

11 CHAIRMAN RICHARD: Speak into the microphone, sir.
12 I'm sorry, Mr. Wilson, could you just pull the microphone.
13 Thank you, sir.

14 MR. WILSON: My name is Stan Wilson and I'm a
15 landowner and mineral rights owner on the Wasco-Shafter
16 bypass and my family's farm is greatly impacted by the
17 proposed bypass right-of-way. However, other members of my
18 neighbors and friends who will speak to the impact on
19 agriculture. I would like to speak particularly on the
20 impact as a mineral rights owner of the bypass going through
21 a producing oil field. The imprint of the right-of-way, plus
22 the construction of overpasses, will do -- will eliminate
23 probably six or more oil wells. Vintage Production Company,
24 which operates the oil field, has estimated and they have
25 addressed a letter, which I'm going to submit to you, to the

1 High-Speed Rail Authority, that they estimate they will --
2 the Authority will have to pay Oxi, which is Oxidental
3 Petroleum, in excess of \$530 million if the Authority chooses
4 the bypass. There are other facilities that may incur even
5 additional cost, but I ask you how you will compensate the
6 mineral rights owners from their loss of revenue from
7 producing oil wells. These costs are not calculated in the
8 Vintage estimate, nor do they appear to be taken account of
9 by staff. When the wells are closed and removed for
10 high-speed rail, as a mineral owner I have no guarantee that
11 these wells will be redrilled, and if they are redrilled,
12 will they be at the same production level that they are now.
13 High-speed rail is entering into a huge tangle and a long,
14 drawn out litigation to determine values of a producing oil
15 field. I think it is a mistake to try and put it through the
16 north Shafter oil field. There is no oil field on the BNSF
17 right-of-way, and so I strongly suggest they reconsider the
18 BNSF right-of-way for the alignment.

19 Thank you.

20 CHAIRMAN RICHARD: Thank you, Mr. Wilson.

21 Ben McFarland from the Kern County Farm Bureau,
22 followed by David Hartesveldt.

23 MR. MCFARLAND: Good afternoon, Rail Authority,
24 Board members and staff. My name is Ben McFarland and I'm
25 the executive director of the Kern County Farm Bureau, an

1 organization that represents more than 1400 farmers, ranchers
2 and their families in Kern County. As a way of background,
3 the Kern County Farm Bureau opposes the California high-speed
4 rail project due to its resulting irretrievable loss of
5 important farm land and significant negative impacts it would
6 have on neighboring farming operations. In the event that
7 the project is developed, its alignment should be directed
8 onto existing transportation corridors as the original bond
9 measure stressed. Specifically, we urge you to select the
10 alignment along the BNSF alternative, rather than the
11 Wasco-Shafter bypass alternative. There are a variety of
12 problematic issues with the Wasco-Shafter bypass alternative
13 as identified in prior written comments and oral testimony
14 today, specifically as it relates to impacts on local
15 farming, the true cost of mitigation, realities of actual
16 farm land loss and misleading process of defining waters of
17 the United States. I'd also like to present today a letter
18 from our Kern County Supervisor Mick Gleason who also urges
19 the BNSF alignment. It is our hope that the submission of
20 this information, as well as a farming community's unified
21 opposition to the Wasco-Shafter bypass will help guide your
22 decision on a preferred route alternative.

23 Thank you for your consideration.

24 CHAIRMAN RICHARD: Thank you very much,
25 Mr. McFarland.

1 David Hartesveldt followed by Holly King.

2 MR. HARTESVELDT: Hi, I'm David Hartesveldt, senior
3 biologist with Live Oak Associates, an ecological consulting
4 firm specializing in issues related to waters of the U.S.
5 Our office is in Oakhurst, California. The Wasco-Shafter Ag
6 Group has retained my firm to help it understand the types of
7 features identified as waters of the U.S. along the BNSF and
8 Wasco-Shafter bypass alignments in Kern County. An impact
9 matrix provided by the High-Speed Rail Authority for these
10 two alternative HST segments shows that the project will
11 impact about 30 acres of presumed waters of the U.S. along
12 the BNSF alternative and nearly 19 acres of such waters along
13 the Wasco-Shafter bypass. Actually, waters of the U.S.
14 appear to be entirely absent from both alignments. All
15 impacts are to manmade irrigation infrastructure, settling
16 basins, storm water basins and roadside ditches located
17 within the Shafter-Wasco Irrigation and the North Kern Water
18 storage districts. According to senior managers of both
19 districts, none of the hydrologic features along either
20 alignment connect hydrologically to Poso Creek, the nearest
21 known water of the U.S. Thus, the preliminary jurisdictional
22 determination issued by the Corps of Engineers on
23 February 7th commits the High-Speed Rail Authority to select
24 an alignment, seek a Section 404 Clean Water Act permit and
25 provide costly compensatory mitigation because of manmade

1 hydrologic features that are not actually waters of the U.S.
2 And if it's appropriate, I have some exhibits that are
3 photographs, aerial photographs and ground photographs of the
4 kinds of features that the Corps of Engineers presumes to
5 assert jurisdiction over.

6 CHAIRMAN RICHARD: Yes, sir, thank you very much.
7 If you could give that to the ladies there, that would be
8 great. And I did see your prior letter, correspondence that
9 came to us, so thank you.

10 Ms. King, Holly King, followed by John Ritchie.
11 Good afternoon.

12 MS. KING: Good afternoon. I'm Holly King, I have
13 farmed with King-Gardiner Farms in the Wasco area, but I'm
14 here today representing the Wasco-Shafter Ag Group, which is,
15 as you know, an entity that represents about 126 farming and
16 agriculture businesses in the Wasco-Shafter area. And today
17 my comments are not meant to be critical of either the Board
18 or the staff. As you know, we have welcomed and appreciated
19 your working with us, but they are more to point out some
20 flaws that we could maybe work on together in dealing with
21 what our biologist, who you just heard from, have found in
22 our research. I also bring some ideas about things that we
23 are doing to work with this situation. Our biggest concern
24 is how the process, which is a preliminary jurisdictional
25 determination, and I'm just going to say PJD, impacts the

1 outcomes. It falsely presumes, as Dave mentioned, there are
2 more jurisdictional waters on the BNSF than the bypass. And
3 if we did actually -- and they don't connect up as
4 navigational waters, those numbers would go to zero, meaning
5 that there is not a jurisdictional problem here -- I mean,
6 there is a jurisdictional problem, because they're declaring
7 waters that are not waters of the U.S. because of the process
8 that you have had to deal with. That false presumption
9 impacts all of us in this room in many ways, whether you're
10 the Authority or farmers. One is that it skews the analysis
11 of the alternatives, as I've stated it, it creates a set of
12 numbers that we don't believe are accurate. It also leads to
13 unnecessary calls for mitigation of these waters that don't
14 exist. And that will cost both the Authority and taxpayers
15 significant funding to mitigate for these waters that are
16 really not waters under the jurisdiction of the Corps. It
17 also sets a precedent to your very high-profile project, and
18 because it declares waters on our property that are
19 jurisdictional and they are not, anytime we go try and take
20 out a retention basin, we're going to have to deal with the
21 Corps and convince them that it is not a jurisdictional water
22 and we don't need a permit to take out a retention pond.
23 And, lastly, I'd like to just share this idea. The
24 Wasco-Shafter Ag Group has requested final jurisdictional
25 determinations on each of our waters. We have engaged a

1 biologist who is qualified and asked for final
2 determinations, because we think it will find that there are
3 no waters of the U.S. and that a permit is not required. And
4 we have been in communication with your staff to work
5 together on it, because we know this permit is really
6 important to you.

7 CHAIRMAN RICHARD: Thank you. I just want to tell
8 you that we're taking this issue very seriously. You had
9 your correspondence that we saw and so we understand it and
10 we will work together to try to address it.

11 MS. KING: Thank you. We appreciate that.

12 CHAIRMAN RICHARD: Thank you.

13 John Ritchie, followed by Eric Miller.

14 MR. RITCHIE: Thank you for the opportunity to
15 speak. My name is John Ritchie, I'm vice president of Rural
16 Real Estate Development. Rural is the parent company for all
17 the Paramount entities in the Valley. As Holly spoke about
18 the criteria that was used to make the decision on whether or
19 not the Wasco bypass was selected or the BN alignment was
20 selected, I was told by staff that the jurisdictional water
21 issue was the trump card on all this; that the taking of
22 prime ag land wasn't as important, disturbance of existing
23 businesses, the basic elimination of rail service that will
24 go to our 1400-acre industrial park was not a consideration,
25 the fact that the oil production in our area would be greatly

1 compromised, job potential, job creation for one of the
2 poorest areas in the entire state, did not equal the
3 importance of taking irrigation ditches and considering them
4 as jurisdictional waters. I find it to be tremendously
5 flawed and it's created a domino effect where we're looking
6 at increased costs to taxpayers. We will have a situation in
7 our industrial park where the BN is going to be restricted
8 from serving a transloading facility that will be the major
9 economic driver in our area. There has been no analysis done
10 of what the cost is going to be, what the mitigation to the
11 BNSF is going to be. I know those talks are in progress, but
12 that's going to weigh this thing above and beyond the
13 billions of dollars already incurred to increases in the
14 taxpayers that would happen if this thing does not go on the
15 BN alignment. So on behalf of Rural and Paramount, we urge
16 that you reconsider and select the BN alignment.

17 Thank you.

18 CHAIRMAN RICHARD: Thank you very much, sir.

19 Eric Miller, followed by Keith Gardiner.

20 MR. MILLER: Good afternoon. Eric Miller here as
21 part of the Wasco-Shafter Ag Group. I want to speak about
22 the ag land impacts. We have requested GIS data and
23 methodology used in creating the numbers in the matrix
24 entitled "Comparison of environmental affects between BNSF
25 alternatives through Wasco and Shafter and Wasco-Shafter

1 bypass alternative." We received the GIS data, but we have
2 not yet received the methodology, so I'm not able to recreate
3 the numbers in the matrix like we had hoped to. We've tried
4 to come up with the numbers in the matrix and cannot, so we
5 are unable to respond in a complete way, but
6 it's counter-intuitive that going through town has more
7 impact on ag land than the bypass going through ag land,
8 albeit the BNSF is a little bit longer in distance. We do
9 know that when it makes the Cumberlin curve, the proposal is
10 to straighten the curve and move the BNSF over to the
11 high-speed rail track leaving an island of 25 acres, or a
12 little bit more, which we are told is being considered land
13 taken out of production because BNSF has not yet agreed to
14 the movement. In reality, the 25 acres can be farmed and is
15 not, in fact, taken out of production. This acreage
16 differential would flip the findings related to the important
17 farm land and would then show less impact to important farm
18 land on the BNSF. This demonstrates the importance of
19 understanding what is behind the numbers, which we are trying
20 to do so we can understand it. Regarding the Williamson Act
21 impacts, Matt Brady, our GIS professional, used the 2011 data
22 and it indicates that there is more impact on Williamson Act
23 land on the bypass than on the BNSF alignment. This is
24 significant and changes the choice of alignment from the
25 bypass to the BNSF alignment. I think it's really important

1 that your staff looks a little closer at the details behind
2 the numbers so we can get the right decision made.

3 Thank you.

4 CHAIRMAN RICHARD: Thank you, Mr. Miller.

5 Keith Gardiner, followed by Roger Christensen.

6 MR. KEITH GARDINER: Good afternoon, Chairman
7 Richard, members of the Authority, Mr. Morales. My name is
8 Keith Gardiner, I'm from Bakersfield and I farm and am a
9 stakeholder in the Wasco-Shafter area and my life's work are
10 impacted by either alignment that you choose coming through
11 the Wasco and Shafter area, both affect our farm. With that
12 said, I'm not opposed to high-speed rail. I'm here to help
13 and would like to offer assistance to helping you make the
14 correct decision as it comes to making that decision about
15 which alignment to choose. I'm also here representing our
16 management company, our equipment company and the 126 members
17 of the Wasco-Shafter Ag Group, and I would remind you, as I
18 reminded Boards, former Boards, former chairmen, former CEO
19 in Los Angeles, that you asked us to build consensus in our
20 community of where this alignment should go, and we have done
21 that. Over the past two years, we've sent you letters from
22 our 126 members of our Wasco-Shafter Ag Group. Everyone is
23 of the consensus that this alignment should go on the BNSF
24 railway on the existing corridor, not out through the
25 countryside bifurcating hundreds and thousands of acres of

1 prime farm land, some of the best farm land in the world.
2 And we're urging you to continue to make that decision or
3 point to that direction. We believe much of the matrix that
4 we've been seeing numbers on is flawed, as others have spoken
5 to. We have built consensus on nine miles of track that
6 everyone is in consensus that's where it should go, and
7 that's along the BNSF. So I -- incredibly, I'm very
8 discouraged that your staff came out with a preliminary
9 recommendation that points the alignment out through the
10 Wasco-Shafter bypass. I just think that is incredible that
11 they could even reach that conclusion today with all the work
12 that we have done to point you to the BNSF for that
13 alignment.

14 So thank you for your time today and I hope what I
15 said is from the heart.

16 CHAIRMAN RICHARD: Thank you, Mr. Gardiner. And
17 let me just make it clear to everybody here today. Today we
18 are going to have an informational presentation from the
19 staff. This is not the time and place we are going to be
20 making those decisions and I want to assure you and others
21 that these issues are very much on our mind, they're open and
22 we're taking them all seriously.

23 Mr. Christensen. Good afternoon, sir, followed by
24 Paul Smart.

25 MR. CHRISTENSEN: Thank you. My name is Roger

1 Christensen and I support the Hanford west alignment. I
2 applaud that decision. It is the shortest, straightest most
3 sensible decision that cost \$800 million less. The gentleman
4 from Visalia was arguing that there was higher ridership on
5 the east alignment. I don't really think there's \$800
6 million worth of ridership more. It's in the same catchment
7 area and should be a very minor adjustment. I am intrigued
8 by the fact that you also recommend the below-grade station.
9 This is in Hanford. This is something that many cities in
10 California would just beg for and I hope that that's not
11 something that's value engineered out down the road, you
12 know, because that would mean, if I assume right, a two- to
13 three-mile trench near the station, it would mean no
14 overpasses in the City of Hanford and it would blend in very
15 nicely with future development plans of the city if there
16 weren't obstructions.

17 So, thank you.

18 CHAIRMAN RICHARD: Thank you, Mr. Christensen.

19 Paul Smart, followed by Jim Neufeld.

20 MR. SMART: Thank you. My name is Paul Smart, I
21 live in Corcoran. Several people have been up to the
22 microphone today and pleading for the heavy maintenance
23 facility for their town to create jobs and to help their
24 cities, which I think they should all be commended for that
25 action. Whether you oppose the rail or not, these people are

1 doing what's right for their community. What I'm here to ask
2 you to do is the same thing, do what's right for my
3 community. Corcoran is one of the cities that is going to be
4 forced to have a train run through it, and as it stands
5 currently, that's a fact we have to accept. I believe that
6 the Authority should give us, at the very minimum, the least
7 impacted alignment to our community. There is an elevated
8 alignment yes, it's more expensive. We lose no homes. We
9 lose no jobs. We have no change of our traffic flows to the
10 businesses that are already existing. We will never be given
11 an opportunity to profit on the high-speed rail. There is no
12 chance of that for us. We'll never have a stop. We'll never
13 have a job. All the communities that you are running this
14 train through should be given the same consideration. Don't
15 just take from us the abilities to have the jobs that we
16 already have and then on top of that destroy our communities
17 without considering the moral and the human aspect of this.
18 You have the ability right now to do this train alignment
19 without taking away people's homes. Essentially, what you're
20 saying is your happiness and your lives we are able to place
21 a monetary value on, and that's inappropriate. Don't do that
22 to us. Don't do that to any of the towns, Shafter, Wasco,
23 Taft, Corcoran. We will never have an opportunity to do
24 anything better because of this. It's going to be
25 detrimental to our town and we're asking you in a

1 humanitarian sense to consider that over money and let the
2 towns that are going to be able to profit from this cover the
3 difference. If they want a stop, if they want a heavy
4 maintenance facility, find a way for them to raise money to
5 help pay for it. Don't destroy us.

6 Thank you for your time.

7 (Applause from the audience.)

8 CHAIRMAN RICHARD: Thank you, sir.

9 Jim Neufeld, followed by Ross Browning.

10 Ms. King, you don't look like Jim Neufeld to me.

11 MS. KING: I'm not. Jim Neufeld had to leave and I
12 have his comments here.

13 CHAIRMAN RICHARD: All right.

14 MS. KING: Jim Neufeld from the Wasco-Shafter area
15 and is a member of the Wasco-Shafter Ag Group and he farms in
16 the Wasco area. There were two things.

17 CHAIRMAN RICHARD: I'm going to guess he supports
18 your position on this question.

19 MS. KING: Yes, he does.

20 There were two things that Jim just wanted to just
21 state. One was in the matrix it talks about the destruction
22 of commercial and industrial businesses, and one of the
23 things it doesn't address is that out on the bypass, moving
24 through the bypass you don't destroy a farming business, but
25 you do displace a fair amount of the business. And looking

1 at that criteria, it doesn't actually describe that there is
2 business in production on ag land displaced when the
3 high-speed rail would go through that area. The other item
4 that he wanted to mention, because he lives in Wasco, is that
5 in reaching consensus in our community about where we wanted,
6 all of us in the community wanted the rail, one of the things
7 that Wasco was very interested in, they were okay with the
8 BNSF alignment until it was proposed down the west side of
9 the tracks. And they would be -- they have indicated that
10 they would be opened to the east side of the tracks, because
11 it has less of an impact on their community. They would be
12 open to discussing that. And we were told all along that the
13 east side of the track was not an option because the BNSF was
14 adamantly against it, but in a recent meeting on the 28th of
15 February, DJ Mitchell, who is a VP for real property with
16 BNSF, indicated that was the first he had ever heard of the
17 option down the east side. So I know the EIR process is well
18 on its way, but in terms of it getting 100 percent consensus
19 in our community, reconsidering the east side would certainly
20 help us reach that in our community.

21 Thank you.

22 CHAIRMAN RICHARD: Thank you.

23 Ross Browning, followed by Jeff Taylor. Good
24 afternoon, Mr. Browning.

25 MR. BROWNING: Good afternoon, Mr. Chairman,

1 members of the Board. I'm addressing my remarks to this
2 Board and beyond. Governor Brown, if you're looking for a
3 legacy item, you found it here. Massachusetts has it's big
4 ditch, now California will go them one better with the
5 Hanford trench. As a voting citizen of California and Kings
6 County, I charge the Governor and this Board that this
7 project as currently promulgated constitutes a fraud on all
8 citizens and voters in the state. The latest member of the
9 Board, and I'd like to take a moment and welcome you to the
10 Board, and as an alumni of SC, I'm looking for some Trojan
11 logic to this process, rather than just the old rubber stamp
12 thing. Welcome to the Board. The latest member of the Board
13 took a solemn oath to uphold the constitution and laws of the
14 country and of the state. I presume that all Board
15 members took a similar oath and, yet, that Board continues to
16 ignore and violate a state statute, which requires the
17 Authority to engage in coordination with all local
18 governmental units. You haven't done this with Kings County.
19 And I hereby challenge this Board to correct this violation.
20 Personally, I am dismayed when I hear the Governor announce
21 that this project will require an operating subsidy when the
22 language in Prop 1A currently states -- clearly states, I'm
23 sorry, no subsidy in this matter. Is this a matter of
24 ignoring Prop A or is this just another example of our
25 Governor, who is on video proudly stating that he lies to get

1 things to the people to get things done. Is he simply
2 telling another whopper to have his way and not that of the
3 law? I call upon the Governor and this Board to stop this
4 project now and until you can get in compliance of Prop 1A as
5 understood and passed by the voters of this state.

6 Thank you.

7 (Applause from the audience.)

8 CHAIRMAN RICHARD: Thank you, Mr. Browning.

9 Jeff Taylor, followed by Carole Jacoby.

10 MR. TAYLOR: Good afternoon, members of the Board.

11 My name is Jeff Taylor and I'm from Bakersfield. Available
12 funding, including bond funds, will not be sufficient to
13 construct the project into Bakersfield. It is this Board's
14 responsibility to inform taxpayers if available funds for
15 construction of the segment will run out in a nut orchard
16 north of Shafter or a dairy farm south of Fresno. As the
17 project currently stands, the City of Bakersfield is not even
18 a part of the Merced to Bakersfield corridor or usable
19 segment for which construction funding exists. Additional
20 funding for the project is uncertain and the possibility that
21 funds may ever materialize to complete the project is very
22 high. The Kern County Board of Supervisors, the cities of
23 Bakersfield, Wasco, Taft and other Kern County agencies
24 oppose the project as planned because of the massive
25 unacceptable impacts the project will cause Kern County

1 industry, jobs, community infrastructure and tax revenues.
2 In Bakersfield, environmental studies for alignment
3 alternatives have only been completed for roughly half of the
4 city, which puts the risk of the portion of the project has
5 been studied. The Prop 1A lawsuit is scheduled to be heard
6 on May 31st, and that litigation will thoroughly address
7 whether or not bonds can legally be sold for the high-speed
8 rail project. It is irresponsible for Governor Brown to
9 waste tax revenues in civil court proceedings against
10 everyone in the state seeking validation for issuing and
11 spending bonds for the high-speed rail project when the
12 matter is expected to be resolved in the May 31st Prop 1A
13 litigation. According to the Prop 1A bond measure, the
14 Authority shall prepare and submit to the legislature and the
15 Department of Finance a detailed funding plan for each
16 corridor or usable segment proposed for construction at least
17 90 days before the funds will be appropriated for
18 construction of that corridor or segment. However, the
19 construction bids have not been released by the Authority and
20 there is no detailed funding plan to complete the proposed
21 corridor into Bakersfield. Due to these circumstances, it is
22 irresponsible for this Board to choose a preferred alignment
23 for Bakersfield.

24 CHAIRMAN RICHARD: I ask you to finish up, sir.

25 MR. TAYLOR: Okay. Thank you. I'd like to submit

1 further comments to the Board, please. Thank you.

2 CHAIRMAN RICHARD: We'd be happy if you did that,
3 Mr. Taylor, and if you could give them to the staff there,
4 they will be distributed to all of us on the Board. Thank
5 you.

6 (Applause from the audience.)

7 CHAIRMAN RICHARD: Carole Jacoby, followed by
8 Roseanne Martinez. Good afternoon.

9 MS. JACOBY: Good afternoon. My name is Carole
10 Jacoby, I am a real estate broker here in Fresno County.
11 Thank you so much for having this meeting that we can all
12 come down and voice our opinions, not that we expect our
13 voices to have any value, because most of us have been
14 yelling and screaming and saying no since this all began
15 about two-and-a-half years ago. But we can come here and
16 speak out in hopes that maybe our prayers will answered in
17 this. First of all, I'd like to -- talking about the
18 high-speed rail in its entirety, I believe that this should
19 be aborted. It's not what we voted for, it's not at all what
20 we voted for. Our local -- our city governments are in
21 serious trouble throughout this state, Fresno is, the State
22 of California is in trouble, the counties are in trouble, the
23 federal government is in trouble. We keep writing checks,
24 printing money, borrowing money for what? There are nine
25 governors that said no to Washington D.C. to receive funds to

1 build a high-speed rail. I consider these to be intelligent
2 people, they made wise decisions in this economy not to do
3 that, not to build, if ever. It will take -- you know, I
4 hear that the Authority is ready turn the soil and stuff,
5 it's going to take years for all of these properties to be
6 appraised and thousands and thousands of dollars. It takes
7 months to appraise businesses and/or farms. And then once
8 these appraisals are all completed, then you have to go and
9 negotiate with those property owners and try to get them to
10 take your bid and very often that ends up in litigation. If
11 I felt for one second there was anybody that was going to
12 ride this trail to nowhere, I would be all for it, but I
13 don't believe it for a minute. And just, if you don't mind,
14 imagine, you've got Mr. and Mrs. Jones up in the -- somewhere
15 north and they've got three little kids and they're going to
16 Disneyland. It's going to cost them a fortune to get on this
17 rail and head down there. Then they're going to be stopped
18 at Bakersfield, because I don't know where the rail is going,
19 it's not going over the Grapevine, so I don't know where the
20 rail is supposed to end up. But imagine Mr. and Mrs. Jones
21 and their kids and getting off of this speeding rail onto a
22 bus at Bakersfield and have to travel over the Grapevine on
23 the bus, get down there, call Hertz and say "Bring us a car."
24 It's crazy. Please, I beg of you, let's get rid of this for
25 this point in time. There is just -- and then I also

1 believe --

2 CHAIRMAN RICHARD: Ms. Jacoby, could I just ask
3 you, since we are trying to give everybody the same amount of
4 time --

5 MS. JACOBY: Yes, one parting thing. I just ask
6 that we give consideration as to who is going to ride the
7 rail. We are told all the time if we don't have the rail
8 we're going to have to spend money on highways. Even with
9 the rail you're going to have to spend money on highways.

10 Thank you.

11 CHAIRMAN RICHARD: Thank you, Ms. Jacoby.

12 (Applause from the audience.)

13 CHAIRMAN RICHARD: Roseanne Martinez, and I have a
14 card from John Ritchie, but I believe Mr. Ritchie already
15 spoke, so I -- Ms. Martinez.

16 MS. MARTINEZ: I'm a self-employed businesswoman --

17 CHAIRMAN RICHARD: I'm sorry, Ms. Martinez, louder,
18 please.

19 MS. MARTINEZ: I'm a self-employed businesswoman
20 and I'm very proud of that. My business is voted possibly
21 for business of the year. I help everybody from every side
22 of the world, I can tell you that, with the business I do.
23 My business is going to be greatly affected by this
24 high-speed rail. I've been to every meeting that you've had,
25 just about, about since 2008 and you've always told me,

1 Mr. Richards, that somebody is going to contact me, they have
2 not. They haven't contacted me. I spoke to one of the women
3 outside in the drinking fountain and they said, "Oh, well, I
4 contacted this other person." You contact me, I'm going to
5 be greatly affected by this. Please, write me letters, phone
6 me, you know, this is my life, my -- and a lot of other
7 people that I help. What I do is work that is necessary to
8 keep our country going, and to this day you haven't sent the
9 person to me. Is there a reason for this?

10 CHAIRMAN RICHARD: Mrs. Martinez, I don't know what
11 the situation is. I'm going to ask our CEO, Mr. Morales, if
12 he could ask a staff member, whether it's Ms. Gomez or
13 someone else, to contact you before you leave here today so
14 we can make sure --

15 MS. MARTINEZ: In writing, as well, any changes or
16 anything, contact me, please.

17 Thank you.

18 CHAIRMAN RICHARD: Thank you, ma'am.

19 The next speaker is JD Bennett, followed by Loran
20 Harding.

21 MR. BENNETT: Good evening, Board. My name is JD
22 Bennett, I am a Fresno County resident and a taxpaying
23 citizen of the State of California. I think -- I want this
24 on the record, because I think it's an absolute atrocity and
25 a disgrace that the head of the executive branch, our

1 Governor Jerry Brown, has filed a lawsuit against the
2 taxpaying citizens of California. Proposition 1A narrowly
3 passed by the voters in 2008 set forth that the Authority
4 prepare and submit to the legislature and the Department of
5 Finance a detailed funding plan for each corridor or usable
6 segment proposed for the construction at least 90 days before
7 funds would be appropriated for that construction of the
8 corridor segment. A peer review group was formed and the
9 peer review group raised serious concerns about whether it
10 was appropriate to approve funding until some issues,
11 including the adequacy of available funding, had been
12 resolved. The Legislative Analyst Office issued a report in
13 early 2011 raising concerns about the High-speed Rail
14 Authority and its proposed direction. Following the release
15 of the funding plan and the draft business plan, the LAO
16 issued a follow-up report on both plans that pointed out --
17 pointed to deficiencies in failing to identify all sources of
18 committed funds and not having completed project-level
19 environmental clearances with little likelihood of completing
20 them prior to beginning the construction. It is important to
21 note that because of these identified problems, the LAO
22 recommended that the legislature not fund high-speed rail
23 construction. Governor Jerry Brown, as head of the executive
24 branch of California, has a duty to administer the laws of
25 the state. He and other legislators have a sworn duty to

1 uphold the California constitution and all of its provisions,
2 including Article 11, Section 1, California law requires
3 precise adherence to these terms with bond measure that has
4 been approved by the voters and requires that any change in
5 those terms, unless specifically allowed by the measure
6 itself, only be made by subsequent modification to the
7 measure and the approval of the voters. That has not been
8 done. By accepting and not repudiating their funding plan
9 improperly approved by the High-speed Rail
10 Authority and by allowing the -- and in the Governor's case
11 signing the appropriation measure based on that invalid
12 funding plan, the Governor and all legislators who voted for
13 it have violated their duties as public officials and must be
14 held accountable to the taxpaying citizens of California.

15 Thank you.

16 (Applause from the audience.)

17 MEMBER PEREZ-ESTOLANO: I just would like to echo
18 to -- it's in my interest as the first meeting on this
19 Authority that you know and I know that folks who are here
20 and other locations, that their comments are all part of the
21 official public record at this meeting and all of the Board
22 members will have access to that, as well as the public, and
23 that's very important. So I just want to make sure that
24 everybody understands it's important to me that you -- if you
25 have written comments, oral comments that you know that you

1 are being heard and that those are on the record.

2 So thank you.

3 CHAIRMAN RICHARD: Loran Harding, followed by Aaron
4 Fukuda.

5 MR. HARDING: No madam, it's Loran, L-O-R-A-N,
6 harding. Thank you, Mr. Richard. Good to see you. You're
7 doing a masterful job. I don't think the Governor could have
8 chosen a better person to fill your role there.

9 CHAIRMAN RICHARD: I appreciate that, Mr. Harding,
10 but I'm going to suspect that's not a universally-held view.

11 MR. HARDING: Anyway, I'm Loran Harding. I live in
12 northwest Fresno about a mile-and-a-half northeast of where
13 your tracks will cross Shaw Avenue, so I've had an interest
14 in the noise issue, but I'm told I'll never hear the trains
15 at a mile-and-a-half. First I'd like to address a safety
16 issue, a couple -- several safety items coming through
17 Fresno. I've asked for years -- by the way, I was here in
18 this chamber about ten years ago when the Board had an
19 information meeting right here about 2003, and I've been to
20 every public meeting you've held. I've asked for years for a
21 bypass out between Fresno and Kerman, because most of the 20
22 trains per hour we'll have pass through Fresno will be
23 express trains. They won't stop in Fresno. They will be
24 going 217 miles an hour with 600 people in them, so I think
25 we should have a bypass, or at least build a bypass for the

1 express trains. Next, put it in a trench. Well, that costs
2 too much. An intrusion barrier between the UP and the
3 high-speed tracks for an additional 13 miles through Fresno,
4 I wish you could do that. If not, at least build something
5 around the bridge supports. You'll go by many bridge
6 supports -- as you know, on June 3rd, 1998, the Deutsche Bahn
7 ICE train derailed at Eschede, Germany, knocked out the
8 bridge supports, the 300-ton strassen brucka (phonetic) fell
9 on the train, killed 101 people in the worst high-speed rail
10 train accident in history, so I hope you'll be protecting
11 bridge supports. I wish you'd look into the Sandy S.
12 Sarafin -- linear induction plan, you know, I sent you
13 e-mails about that. I just wish you could build a prototype
14 and look at that. Here's a piece of advice, Prop 1A said you
15 can do it in 2 hours and 40 minutes from San Francisco to
16 L.A., and now you're being sued because with the blended
17 approach it looks like that will be tough to do. I would go
18 into court and try to change that if I were you. I would say
19 "Listen, we know we can't do it in 2, 40, let's say 3 hours,
20 15, maybe 3, 30." I think the people of California are
21 reasonable. I know where the 2, 40 came from, Mortie
22 Morshead (phonetic) kind of picked that out of the air, he
23 said, "500 miles, 200 miles an hour, well, that sounds like
24 two-and-a-half hours." That's where it came from, and I have
25 a document in my computer somewhere saying that. So why

1 don't you go into court, petition the court if you have to go
2 back to the legislature and say "We just can't do it, not
3 with the blended in L.A. and on the Peninsula. We'll have to
4 go 217 through the Central Valley to make it." And I think
5 you know, I suspect you know you can't do it. And, you know,
6 you've dug in your -- somebody has dug in their heels and
7 said, "We're going to stick with it," and now you're being
8 sued based on it, so if you were you I would change it.
9 Where does the money come from. We spend 700 billion a year
10 to defend the whole world and all of Europe, Germany, France,
11 Spain, Korea, Japan, they all have high-speed rail. They all
12 have national healthcare. They all have affordable
13 universities. We pay for all of that, I say pass the hat,
14 pass the hat among them and get the money. We need
15 high-speed rail. They all have it and we don't have it. So
16 I think Jeff Denham, Leo McCarthy, John Bonner and Paul Ryan
17 should all resign from Congress and apologize to the American
18 people.

19 Okay. Thank you very much.

20 CHAIRMAN RICHARD: Aaron Fukuda, followed by Shelli
21 Andranigian.

22 MR. FUKUDA: Good afternoon, Chairman, it's hard to
23 follow that up, but I'll go a little off track and try. I
24 just returned from Italy on my belated honeymoon, can you
25 imagine that, three-and-a-half years late, spent two of that

1 dealing with high-speed rail, so we decided to take our
2 honeymoon this year. It's funny because we took the main
3 highway between Rome and Venice, and every time I looked over
4 shoulder something was whizzing by me. That was high-speed
5 rail. So we started talking about high-speed rail with the
6 local tour guide and she said it's fantastic, but when you
7 start delving into details you go, "Okay. Wait, we followed
8 that whole stinking thing all the way from Rome pretty much
9 close to Venice," and it veered off just a little bit and
10 then we came back together in Venice. That thing followed a
11 highway the entire way we went through there. Really didn't
12 see too many trains and I couldn't figure that out. Well,
13 what it came down to is that basically Italy is no better
14 position than we are, they're in a worse position with
15 30 percent unemployment rates, economy tanking. They're
16 really relying upon tourism to hold up their economy. So the
17 local people don't really access it as much as the tourists
18 do, they get their Eurostar pass or whatever to use it. And
19 then we went into the cities like Florence and they were
20 talking about the pollution because of the increased traffic,
21 and they were having to clean all their old buildings and by
22 the time they get around to one side cleaning it, they're
23 back cleaning the building again because there's that much
24 pollution. So my thing is this is supposed to be the panacea
25 for California, are we sure it's the panacea. I'm sorry, I'm

1 off topic a little bit, but I'll get back. I apologize, I
2 haven't seen you guys in a little while and I haven't been in
3 front of you, I've been kind of busy. A few thoughts I want
4 to bring up. Chairman Richard, when I first met you one of
5 your first comments to me was "Aaron, there's nothing that
6 says I love you more than a lawsuit." And here we find our
7 leadership and your Authority suing the entire State of
8 California. You're cheating on me. I thought we had a
9 relationship, albeit a love-hate relationship. And this is a
10 message for the people of State of California and everybody
11 in this room, they are trying to cheat you of your
12 opportunity to challenge this project. I challenge all of
13 you to take up the challenge in the validation case. You can
14 do it individually, it's not hard. You must do it in order
15 to put this project, I'm not against high-speed rail, but it
16 must be done right. For Chairman Schenk, I hope you're still
17 on the line. I want to thank you as a taxpayer of
18 California. A couple of meetings ago you did something that
19 this Board has never seen before, you voted your conscience,
20 or you began to try and vote your conscience and were cut
21 off. That's what we need in leadership is to ask the tough
22 questions, do the gut checks, take steps back in order to go
23 forward. You keep plowing forward, the human nature of this
24 project is absolutely gone. And people ask me "Well, you're
25 going to Italy, you're going to ride high-speed rail," I said

1 "I'm either going to ride it or I'm going to throw myself in
2 front of it." I'm back here today and I want to thank you,
3 Board, for one thing, because you've given me the opportunity
4 to represent a group of people, a group of people that are
5 near and dear to me. You may not see them, I see them. They
6 call me, they cry, they worry, one of these days I hope you
7 can feel that human emotion of the darkness that hangs over
8 you every single day. And we wonder is this project going to
9 be successful. I'm an engineer, I do projects all the time.
10 I'm telling you as public, this is not how you carry out a
11 project. This is not how you do it. You don't do it with 10
12 percent of the funds, 15 percent of the information, start
13 issuing bonds, rolling over everybody, saying you're going to
14 meet with them, not meeting with them. There's a lady here
15 that said she had reached out to get a phone call and hasn't
16 gotten it. We have landowners in Kings County that are still
17 waiting for their phone calls. We have landowners that are
18 waiting for phone calls with the for sale signs on their
19 property right now because they couldn't hang on long enough.
20 So it's a black cloud that I think all of you should
21 experience at one time in your life in order to better your
22 own process, because I want to thank you, you bettered me by
23 allowing me to know what I should and should not do with my
24 life.

25 Thank you.

1 (Applause from the audience.)

2 CHAIRMAN RICHARD: Thank you. Shelli Andranigian.

3 MS. ANDRANIGIAN: You pronounced it perfectly, Mr.
4 Richard.

5 CHAIRMAN RICHARD: Well, you know, when you appear
6 before us several times I get some practice, so I'm happy
7 that I did that. Good afternoon.

8 MS. ANDRANIGIAN: Thank you very much. Good
9 afternoon, Mr. Chairman, CEO, Mr. Richards and welcome, Ms.
10 Perez-Estolano. This letter is actually addressed to our
11 Governor and Vice Chair Schenk. Dear Governor Brown and Vice
12 Chair Schenk. Good afternoon, my name is Shelli Andranigian
13 and I am addressing you directly today as a life-long
14 Californian who also shares your fondness for trains. In
15 recent years, I have been able to rekindle this through many
16 wonderful shared times with my young nephews at Traveltown,
17 which for those who may not know here today, is a very cool
18 train museum in Los Angeles. Many of us who really like
19 trains and who may or may not have voted for Prop 1A back in
20 November 2008 are not getting the train they wanted.
21 Governor Brown and Vice Chair Schenk, you are not getting the
22 train you wanted. Californians who voted by a very slim
23 margin to buy that shiny new train they've always wanted
24 about and dreamed about since they were a child have been
25 betrayed. I want for my nephews and for future generations a

1 train that is the gold standard for all speed trains the
2 world over. This one isn't it. The current plan for this
3 high-speed version is a tarnished one. I realize it didn't
4 start out that way, but it has been headed down the wrong
5 track, pun intended, for a while. I have met many
6 individuals in the proposed routes whose hopes and dreams for
7 their families have been in a holding pattern the past few
8 years, all the while the California High-Speed Rail Authority
9 continues to play games with people's lives and livelihoods
10 by changing the true meaning of high-speed rail. They,
11 Authority, continue to make up their own set of rules along
12 the way. As someone who is also in a proposed route, this
13 dark cloud has a silver lining only because I have met a
14 wonderful group of individuals who are also adversely
15 affected and have become a second family to me. They are
16 moms and dads, sons and daughters, pastors, farmers, dairymen
17 and women, those in construction, mechanics, doctors,
18 teachers, veterans, retirees, homeowners, small business
19 owners, concerned citizens who sincerely care about one
20 another and not just themselves. They also hail from every
21 political party. If there's one thing I've learned through
22 this entire experience is that most issues are nonpartisan
23 ones and those who label it otherwise are trying to divert
24 attention to the real matters at hand. I have one more
25 paragraph.

1 Governor Brown and Vice Chair Schenk, I ask you
2 both today to please strongly consider going back to the
3 drawing board and develop a plan for the fastest, shiniest,
4 latest in technology high-speed train that my young nephews
5 and all future generations will be able to ride some day, one
6 that we can afford to electrify the tracks and build in one
7 fell swoop, one that will not water down our strong
8 environmental laws and pollute our air for decades to come in
9 order to build, one that we can truly afford and not have to
10 jeopardize the safety and well-being of those who live and
11 work in this state, and one that will not destroy the fertile
12 agricultural land that continues to feed us here locally
13 countywide, statewide, nationwide and the world over. I am
14 proud to be a life-long Californian and I want to be proud of
15 having the best the state has to offer, including a
16 high-speed train some day, but not at this time, because it
17 is not what my fellow Californians voted for when they went
18 to the polls in November 2008.

19 Thank you very much.

20 CHAIRMAN RICHARD: Thank you.

21 (Applause from the audience.)

22 CHAIRMAN RICHARD: Kevin Cole, followed by
23 Cassandra Morea. Mr. Cole? Okay. Cassandra, is it Morea?
24 I'm looking, from Kings Canyon Road in Fresno. I see the
25 next speaker, Lee Ann Eager, followed by Paul Kazarian.

1 MS. EAGER: Good afternoon.

2 CHAIRMAN RICHARD: Good afternoon.

3 MS. EAGER: I'm Lee Ann Eager, I'm the president
4 and CEO of Economic Development Corporation right here in
5 Fresno. And it's no secret that the EDC has been a supporter
6 of this project. One of the reasons that we have been a
7 supporter is because we see the opportunities that it will
8 bring to this Valley, but I certainly understand those who
9 are here that it's going to effect them greatly because it
10 goes through their business or their homes. But one of the
11 things that we have done in the last three years, at least
12 here in Fresno, has been looking at what affect that has and
13 how can we help businesses and homeowners who are along that
14 alignment. And I know that there are some of us here who
15 have been talking a long time, Mr. Oliveira and I have talked
16 numerous times, Supervisor Verboon and I have talked numerous
17 times and we have agreed to disagree on whether or not this
18 project is appropriate for this time. But one of the things
19 that we have agreed on is if this is coming through our
20 communities, let's make sure we prepare for it. Here in
21 Fresno what we've been doing is meeting with all of those
22 businesses along that alignment, making sure they know what's
23 coming, making sure that if they need to move someplace that
24 we help them do that. And I have to say that Diana Gomez and
25 I have taken our show on the road and making sure that we

1 meet with all of those. And in response, I was hoping that
2 Council Member Brandau was still here so that we can tell him
3 that, even though we don't have the one-stop shop here yet,
4 we are meeting with all of those businesses. And if we need
5 to bring in the big guns, Mr. Morales comes down and helps us
6 meet with some of those folks. And I know in all of the
7 communities we need to do that. We need to make sure that
8 our businesses and our homeowners are prepared for this and
9 that we help them through this process and we have been doing
10 that here in Fresno. And just a real quick note on the heavy
11 maintenance facility. In Fresno we have been preparing for
12 this for three years. We have been supportive of the project
13 for three years, that we certainly understand about the jobs
14 and the need for the jobs in the Central Valley. This
15 project will bring jobs to everyone in the Central Valley,
16 the high-speed rail heavy maintenance facility will also do
17 that. If you have 1500 permanent jobs that are coming out
18 somewhere here in the Central Valley here in Fresno County
19 that there will be jobs coming from every which way. And as
20 much as I love my brothers and sisters in Madera and Kings
21 County and Kern County and Merced, the best place for that
22 maintenance facility is right here in Fresno County and we
23 welcome folks to come here and work on it with us.

24 Thank you.

25 CHAIRMAN RICHARD: Thank you, Ms. Eager.

1 We have -- I'm sorry, I almost skipped over that
2 one. Paul Kazarian, Mr. Kazarian, are you still here? Mr.
3 Kazarian?

4 Anja Raudabaugh from Madera County Farm Bureau,
5 followed by our last speaker, Frank Oliveira.

6 MS. RAUDABAUGH: Good afternoon. My name is Anja
7 Raudabaugh, and I'm the executive director of the Madera
8 County Farm Bureau. I would like to thank the Board for
9 having a meeting about the Valley in the Valley. I would
10 also like to say that the recent outreach effort and numerous
11 meetings provided by your staff on the recent Chowchilla Wye
12 alternative discussion has been exemplary and it's
13 appreciated by our farm bureau. For the record, Madera
14 County did not contribute any money to any lawsuit known to
15 man. They also have been made very aware by your staff and
16 your Board that the Gordon-Shaw heavy maintenance site is
17 unviable, for the record. I'm also repeating my opposition
18 and strategy proposed to the Chowchilla Wye that I stated at
19 the January Board meeting. This strategy to undertake
20 environmental analysis for a subsequent EIR to the Merced to
21 Fresno EIR is illegal. Like it or not, you can't use a
22 subsequent EIR on an area where CEQA analysis has never been
23 performed, as is the case with the Wye. The Authority
24 explicitly removed the Wye from analysis in 2011 and
25 published the final EIR Merced to Fresno section without it.

1 To make matters worse, you've also expanded the Wye box to
2 the east and the west, which is creating a whole new host of
3 never before seen impacts to analyze. This is expressly
4 illegal according to CEQA guidelines and the Public Resources
5 Code. The Board also needs to recognize that since the
6 Merced to Fresno EIR is in pending litigation, you cannot
7 consider that EIR to be valid from which to subsequently
8 layer from. I'm alarmed that this strategy has been devised
9 to expedite the means the Authority has to proceed with
10 construction as early as possible. I'm also highly alarmed
11 of the use of a subsequent EIR for the Wye as a means to
12 skirt analysis and fast track the only public process
13 available to stakeholders who wish to comment on the project.
14 Your staff's response has consistently been to tell me that
15 they actually are proceeding with a separate EIR and not a
16 subsequent EIR. If this is the case, that's fine, but they
17 need to label it as such and strictly adhere to statutory
18 timelines and standards of review for a standard EIR making
19 no attempts to rush, shorten or silence any formal means of
20 providing public input. All I want is for my membership and
21 citizens of Madera County to have the same timelines for
22 review and the same opportunity to participate in this
23 project as you have afforded other major segments you've
24 analyzed. If you are going to say you're going to do
25 something, then please do it, don't hide the ball. I'd like

1 to know why and how you intend to proceed with the process,
2 because we're listening. I will give the rest of my comments
3 to the lady over there.

4 CHAIRMAN RICHARD: Okay. Ms. Raudabaugh, let me
5 just say, I know we continue to have contentious issues with
6 the Madera and Merced Farm Bureaus. It is our sincere hope
7 that we can find some common ground here, and if we can,
8 that's great, if we can't, I understand it, but I just want
9 to express that, which (inaudible) --

10 MS. RAUDABAUGH: I appreciate that. I think it's
11 really important to note that agriculture is not just a land
12 use designation that's a use until something better comes
13 along. It's a very viable use that a lot of people put their
14 life blood into.

15 Thank you.

16 CHAIRMAN RICHARD: Thank you.

17 (Applause from the audience.)

18 CHAIRMAN RICHARD: Mr. Oliveira. Did you
19 deliberately hold back so you can get the last word? Did you
20 do that?

21 MR. OLIVEIRA: Yes, sir.

22 CHAIRMAN RICHARD: You're a smart man.

23 MR. OLIVEIRA: Good afternoon, Board members,
24 welcome to the conflict, ma'am. Good afternoon, staff
25 members. I hope Governor Brown is listening to those

1 proceedings today.

2 CHAIRMAN RICHARD: He would be if we had better
3 audio, I think.

4 MR. OLIVEIRA: Noted.

5 I want to continue on with the theme of the six
6 P's, piss-poor planning equals piss-poor performance. Over
7 four years ago the voters of California were presented with a
8 plan to build a very sleek, elegant conveyance system, which
9 apparently will be blue and yellow in color, will travel at
10 220 miles an hour, will bridge the gap between San Diego and
11 Sacramento, San Diego and San Francisco. We will move people
12 from the big metropolitan areas of the Peninsula to the L.A.
13 Basin in two hours and 40 minutes or less. We will operate
14 on no subsidies, be operated on green power and it won't cost
15 the taxpayers very much money in the realm of things, but
16 they do have to borrow some money to make this work. What
17 could go wrong with this plan? I ask you what could go wrong
18 with it? It's planning, piss-poor planning equals piss-poor
19 performance. We are here today in 2013 talking about 2008, a
20 project which was supposed to bring us all these benefits.
21 By building this project a side benefit would be people would
22 get jobs, communities would prosper, the air would be clean,
23 fewer people would drive on roads, we wouldn't have to invest
24 in roads and airports. But let's talk about the reality of
25 what we're doing. Our money is going to run out. We will

1 have illegally given money to the L.A. Basin. We will
2 illegally have given money to the Peninsula, because we will
3 be spending Prop 1A money on things that are not high-speed
4 rail. We will extinguish our money here to build an Amtrak
5 line to follow an existing Amtrak line. There will be no
6 electric trains. We'll still have to invest in roads when
7 the money runs out. So this is what I have to say. You have
8 sued us to prevent us from exercising our due process to
9 criticize or to challenge this project under bond
10 considerations. You've sued everybody in this room. You
11 sued everybody in the state. Why? This will all be settled
12 in two months, stop spending the money, it's illegal. If you
13 take somebody's money it's a crime, and it should be a crime
14 for you to do it also.

15 Thank you.

16 CHAIRMAN RICHARD: Thank you, Mr. Oliveira.

17 (Applause from the audience.)

18 CHAIRMAN RICHARD: Okay. We have two presentations
19 here, it's 1:30 -- Mr. Dean.

20 MR. DEAN: I filled out a card to be heard on this
21 item --

22 CHAIRMAN RICHARD: You filled out a card to be
23 heard on this item?

24 MR. DEAN: Yes, I did Item 1 and 2 (inaudible) --

25 CHAIRMAN RICHARD: All right. Mr. Dean, although

1 I'm going to have to explain to Mr. Oliveira how he wasn't
2 really the last speaker.

3 MR. DEAN: I'm going to be brief because I know
4 everybody is tired and wants to leave. I'm here -- on this
5 part I'm speaking for the -- I'm out of Bakersfield, I'm
6 speaking for the supporters of high-speed rail. And I wanted
7 to also start by saying I'm going to take a different
8 position from Bob with Kern COG and also Jeff with the Save
9 Bakersfield and some of the other folks that oppose
10 Bakersfield, the project. I'm speaking on Item No. 4, but I
11 support their right to come and raise these concerns. And I
12 want to also start by saying a lot of people say "Well, this
13 guy supports this project, he's got nothing at stake." I
14 want to say publicly now when I looked at the aerial view of
15 this proposed route staff recommendation, when it leaves a
16 downtown station going to Palmdale it cuts right through an
17 acre of my family property where we currently have our
18 building and we also are planning to do an industrial
19 development there, but I still support high-speed rail. I
20 only say that to people that think that I'm not affected by
21 this project. I'm a person affected by this project, but I
22 can still stand here and say I support the project. I have
23 not taken a personal position on the routing, and this is my
24 position on routing. First of all, you should look at the
25 engineer design to get the set speeds that you have to get

1 and also the timelines because of the project, the way it's
2 designed. Second, it should impact -- the routing should
3 impact the least amount of people in prime ag land and,
4 thirdly, whoever is going to have property is going to be
5 taken, they should be made whole. They should be paid
6 fairly, quickly and not play around with the prices. I'm
7 going to want the same for me as I would want for anybody
8 else, and I thought that it would not be right to me as a
9 supporter to take a position on the route and say move it off
10 of my property onto someone else's would make me a hypocrite.
11 Now, so I support some of the concerns that the people that
12 are raising before you. I do have some concerns. But I also
13 believe that this project is going to be a benefit for the
14 Valley and the State of California as a whole 10, 20 years
15 out, we have to look long term. I would only say do not
16 delay your design, your preferred route that some people are
17 asking you to do in Bakersfield. I say we should not do
18 that, we should move forward with that recommendation as fast
19 and quick as possible, because what it does it let's the
20 property owners know if they're going to be affected, they
21 can start planning for it now. At the same time, those other
22 people that are on these other routes, they know that their
23 property has been dropped out, so it doesn't have the
24 confusion having everybody clouded. And then the last thing
25 is it allows -- I believe it allows the high-speed rail as

1 this thing moves forward to firm up your money and as other
2 money comes in, you've already got a lot of the right-of-way
3 stuff, you've already cleared out, you've already negotiated
4 this stuff. So I think we'll be better ahead by keeping this
5 thing moving instead of slowing it down. And then, again,
6 that's just my general overall concern is that I support it,
7 somebody is going to be affected, but I think long term it's
8 going to be a benefit for the State of California and the
9 Valley, so we have to keep moving this project forward.

10 Thank you.

11 CHAIRMAN RICHARD: Thank you very much, Mr. Dean,
12 and I'm sorry I didn't pick up on your card. Thank you for
13 those remarks, I appreciate it.

14 We do have two presentations and, of course, they
15 go to the issues that the public has been talking about, but
16 it's 1:30, I didn't want to break up the public comment
17 period, but I'm going to suggest that we take about a
18 15-minute break, give people an opportunity to stretch their
19 legs, run downstairs if they want to get something and come
20 back. We'll have a staff presentation at that time. So we
21 will be recessed for about -- well, why don't we say two
22 o'clock, until two o'clock and then come back. Thank you
23 all.

24 (Break in the proceedings.)

25 CHAIRMAN RICHARD: We'll be back in session and

1 we'll turn to Item 3, the supplemental alternatives analysis
2 report for the Central Valley Wye. Mr. Morales, if I could
3 ask you to lead the presentation on this or introduce staff
4 who will be doing that.

5 MR. MORALES: Diana Gomez and Mark McLoughlin will
6 be making the presentation. This will bring the Board and
7 the public up to date on where we are with the review of
8 alignments for the Wye and what the process will be going
9 forward and we've got considerable progress since the last
10 report to the Board, I'm pleased to report. So Diana.

11 MS. GOMEZ: Good afternoon.

12 CHAIRMAN RICHARD: Good afternoon.

13 MS. GOMEZ: And thank you again for being here in
14 Fresno. And as you can see, we've had a lot of comments, so
15 I do appreciate you being here in person. So myself and Mark
16 are going to talk about -- the next two presentations will be
17 given by both of us. So I'm going to go ahead and first talk
18 about the Wye. And so what is the Central Valley Wye, just
19 to give you an update in terms on a history of the Wye. So
20 what we call the Central Valley Wye, it's a junction where
21 the trains will head west and north and south. So they'll
22 come from the west and they'll either go north and south or
23 they'll be traveling north and south. The Wye covers about
24 12 miles, square miles, each Wye leg is approximately five
25 miles long and the Wye is located near Chowchilla and the

1 community of Fairmead in Madera County.

2 Next slide. And I'm saying "next slide," because
3 on the other sites they need to change their slides, so -- in
4 San Francisco and Sacramento.

5 So the history of the Central Valley Wye, since
6 2009, the Authority has worked with residents, stakeholders
7 and others to identify a range of Wye alternatives. The Wye
8 was originally analyzed part of the Merced to Fresno section
9 environmental process. In 2011, the Authority decided to
10 carry forward the Wye area for study as part of the San Jose
11 to Merced section EIR/EIS process. At that time, 14
12 alternatives were initially identified for further
13 evaluation, and those are the 14 that you see up on the
14 presentation.

15 So next slide. And then next slide. So in
16 Sacramento and in San Francisco, you should be seeing the
17 four alternatives that were initially identified for
18 evaluation.

19 The next slide. As part of the process, we've had
20 quite a bit of stakeholder engagement, specifically we've met
21 with the resource and regulatory agencies, the EPA, the Army
22 Corps, and we've had several technical working groups that
23 were created as part of the environmental process. We've had
24 numerous public and stakeholder meetings, specifically with
25 Caltrans who would be impacted in terms of our proposed

1 alignments along State Route 152 and over 99, the California
2 Department of Corrections and Rehabilitation, which has two
3 facilities near -- in the City of Chowchilla, cities' and
4 counties' elected officials and staff, school districts,
5 there are several school districts that would be impacted,
6 the two farm bureaus, Merced and Madera County Farm Bureaus,
7 several of the irrigation districts and the local community
8 groups, as well.

9 Now I'm going to go ahead and turn it over to Mark
10 who is going to talk a little bit more in detail of the
11 actual criteria.

12 MR. McLOUGHLIN: Thank you. Good afternoon, Mark
13 McLoughlin, I'm deputy director of environmental planning for
14 the Authority.

15 Next slide. So for the Wyes we have some key
16 criteria that we have considered here and the criteria for
17 screening our alternatives for inclusion in the EIR/EIS is
18 important for comparing alternatives. This helps to
19 differentiate between the alternatives. The criteria based
20 on requirements of NEPA and CEQA that an EIR/EIS have a
21 reasonable range of alternatives that can meet, one, meet
22 project purpose and need and most of the project objectives.
23 Second, be capable of avoiding or reducing one or more
24 impacts of another alternative or offer a significant
25 environmental advantage, and, third, be at least potentially

1 feasible. The criteria is also based on the requirements of
2 the Clean Water Act, Section 404 -- and Section 404 to avoid
3 and minimize impacts to waters of the United States. Also,
4 environmental considerations include a broad range of issues,
5 but the main distinguishing factors are shown here, the
6 impacts to waters of the United States, endangered species
7 and habitats, agricultural land conversion, displacement of
8 residents and businesses, impacts to communities of
9 Chowchilla and Fairmead, impacts on schools and also noise
10 and vibration is included.

11 Next slide. So the original -- as Diana had
12 mentioned, the original range of alternatives from 14 to 6
13 and how we got there. So late in 2012, the Authority staff
14 recognized the opportunity to possibly extend early
15 construction further north in the Merced-Fresno section. The
16 analysis of the Wye alternative into a subsequent EIR,
17 supplemental EIS for Merced to Fresno section provided a
18 flexibility to reach a Wye decision. This past January of
19 2013, the Authority staff provided informational update on
20 the Wye to you, the Board of Directors. Based upon further
21 study and stakeholder feedback, six alternatives were
22 preliminarily identified for future evaluation.

23 Next slide. These six alternatives are clearly
24 identified here. Here's the map, make sure everybody can see
25 that.

1 Next slide. So there was some progress since
2 January, as Diana had mentioned. We have continued
3 stakeholder engagement. We've talked with the regulatory
4 agencies, which are the U.S. EPA and the Corps of Engineers,
5 and we've continued to evaluate the data for these Wye
6 alternatives.

7 Next slide, Diana.

8 MS. GOMEZ: So we started -- since January, we have
9 convened roughly 15 stakeholder meetings. We've had two
10 community meetings so far, one in Fairmead, in the community
11 of Fairmead, the other one in Chowchilla. We had roughly
12 about 500 people in attendance, questions that -- the way
13 we've been structuring our community meetings is in the
14 beginning we allow for everybody from the public to come in,
15 look at the maps and they can go to specific stations to ask
16 questions, whether it's about right-of-way, whether it's
17 about environmental or the actual alignment itself. So
18 everybody would come -- filter through the room and then we
19 would actually have then a formal presentation and then we
20 would then go back to everybody going around and asking those
21 specific questions. So it's more of a one-on-one type of
22 question-and-answer. So some of the information that we were
23 being asked is the impacts to the local roads, which road
24 closures we would have, what would be the traffic impacts due
25 to our road closures and realignments. A lot of the

1 questions around the right-of-way process, how does that
2 actually all work, how are the Wye -- why were the Wye
3 alternatives reduced from 14 to 6 and then 4, understanding
4 the process is some of the questions that they were asking
5 us. And then there was also interest in terms of the jobs
6 and the small business program. So that's kind -- and we do
7 intend to continue to meet with stakeholders, particularly
8 the technical working groups, and have additional public
9 meetings.

10 I'm going to turn it over to Mark to finish the
11 presentation.

12 MR. McLOUGHLIN: Thank you, Diana.

13 Next slide. So on this how we got from the range
14 of alternatives, how we got from six to four. So the data
15 gathered for the alternatives was refined and further
16 analysis performed since January and since the prior staff
17 presentation at that time. This is also for the purpose of
18 submitting it to the U.S. EPA and the Corps of Engineers for
19 their concurrence of these range of alternatives to carry
20 forward in the environmental documents. This additional
21 analysis has led staff to the recommendation of studying the
22 four most promising alternatives. And I wanted to go over
23 the original six that was included in January and then I'll
24 touch on the top of the slide. The original six alternatives
25 in January included Avenue 24 to Road 11 Wye, SR 152 north to

1 Road 11 Wye, SR 152 north to Road 18 Wye, SR 152 south to
2 Road 18 Wye, Avenue 21 to Road 11 Wye and Avenue 21 to Road
3 13 Wye. So one thing I wanted to point out on these four,
4 152 north to Road 13 is a new alignment that came forth
5 during our reevaluation since January. So I want to make
6 that clear, that everybody sees that, and it became a
7 performing alternative. So the four alternatives that we are
8 bringing forward for further study, again, is SR 152 south to
9 Road 18, SR 152 north to Road 13, SR 152 north to Road 18 and
10 Avenue 21 to Road 13.

11 This is the map -- next slide. This map depicts
12 those four that we're carrying forward and it's much less of
13 a spaghetti bowl, as Diana refers to it, it's much cleaner,
14 simpler and there has been a pretty strong reaction to it in
15 a positive way.

16 Next slide. So this is a table, and I hope the
17 people can read it, for the Central -- this Wye and these are
18 the four alternatives that we're bringing forward, so I'll
19 touch a little bit on the detail of that. In our staff view,
20 the four alternatives being recommended for carrying forward
21 in the subsequent EIR, supplemental EIS represent a
22 reasonable range of alternatives for study in light of the
23 additional work that has been done. The alternatives are
24 each capable of meeting the project purpose and need and most
25 of the project objectives. Of those 14 originally

1 considered, the 4 recommended here include options to avoid
2 impacts to one alternative through locational differences, as
3 well as options that involve more or less impacts in a
4 particular resource area depending on the types of those
5 impacts. The variation among the four recommended
6 alternatives are relatively modest for aquatics and
7 biological resources due largely to the importance of
8 avoiding and minimizing impacts on these regulated resources
9 under the Federal Clean Water Act and the State and Federal
10 Endangered Species Acts.

11 Next slide. So for our next steps there are a
12 couple or several important next steps for us to highlight.
13 First, our staff plan on continued regular communication with
14 local stakeholders and to keep them apprised of the SEIR and
15 SEIS and when they can expect a document to be available for
16 public comment. The Authority must also submit its
17 recommendations again to the U.S. EPA and the U.S. Army Corps
18 of Engineers and obtain their concurrence on these range of
19 alternatives for study. This is a procedure that must take
20 place pursuant to the Authority and FRA's, MOU with the EPA
21 and the Corps to integrate Clean Water Act Section 404
22 process with the NEPA process. We as staff are very hopeful
23 that these regulatory agencies will concur in this range of
24 alternatives, but they could potentially ask for more to be
25 studied. Staff will report back to the Board as to the

1 outcome of that consultation process. The staff will prepare
2 the draft SEIR/SEIS and hope to release it for public comment
3 and hold workshops in the fall. A final SEIR and SEIS would
4 then be prepared and decisions by the Authority and FRA plan
5 for the spring of 2014.

6 And that wraps -- that closes the presentation.

7 If we have any questions of a technical nature, we
8 have technical staff available also.

9 CHAIRMAN RICHARD: We consider you technical staff,
10 Mr. McLoughlin.

11 MR. McLOUGHLIN: I hope I can answer your question.

12 CHAIRMAN RICHARD: All right. Questions from
13 members of the Board at this point. Vice Chair Richards.

14 VICE CHAIR RICHARDS: Thank you, Mr. Chairman. I
15 think more than questions, a couple of comments and a
16 request. First of all, over the last 12 or 18 months the
17 outreach and the work that has been accomplished has been the
18 kinds of things that it's nice to look back on and say you're
19 proud of, because I believe our CEO Morales and your field
20 staff and Diana Gomez have accomplished some really amazing
21 things in dealing with stakeholders and solving problems and
22 it's a perfect template for what we would like to do
23 everywhere we go. With regards to -- and bringing this down
24 to four alternatives helps alleviate a lot of the concern the
25 people have raised over the last 12 months. In addition to

1 that, however, because we are now taking a hard look at 18
2 and it falls out as one of our final four that is being
3 studied, I'd like you to be equally sensitive to people who
4 are now addressing their concerns that I'd not heard before.
5 And I would ask, Mr. Morales, if you would ask staff to
6 ensure that they talk with Pembroke Development, and
7 specifically Glen Pace, the developers of Greenhills Estates,
8 as well as Don Nikajima (phonetic) and Mr. and Mrs. Ping Ho,
9 all of whom have indicated to me that they are major
10 landowners along Road 18 and to do whatever you are able to
11 do to help mitigate the impacts and concerns that they
12 have as you study that alignment. But beyond that, I just
13 want to, frankly, say with great praise, thank you very much
14 for how you've handled a number of issues in that area, and
15 it's a very complex part of this alignment. I think you
16 should be congratulated and I would hope that as we work
17 through problems in other -- issues in other parts of the
18 Valley and across California, we can have this similar kinds
19 of successes that I see here.

20 MR. MORALES: Mr. Richard, if I could. I
21 appreciate your comments and echo that the staff has done a
22 great job of moving this along. I have to note that, again,
23 it's been a two-way communication that's allowed this
24 progress to take place in the constructive engagement of the
25 stakeholders along the various alignments, and that's really

1 helped facilitate progress. One of the advantages now of
2 being down to four alignments is that it allows for much
3 more targeted outreach and consultation with potentially
4 affected stakeholders. So what you've asked for absolutely
5 will happen, some of it is already underway, but we will
6 be consulting with each of those and everyone else along the
7 alignment as we move forward with the process.

8 CHAIRMAN RICHARD: All right. Any other questions
9 at this time? I just want to say I like to associate myself
10 with the remarks of the vice chair. I think it was very well
11 said, particularly his call to the positive dialogue that's
12 been out there as we move up and down the line so I
13 appreciate those comments, Tom. And, Mr. McLoughlin and Ms.
14 Gomez, thank you very much. I know we still have a lot of
15 work to do, but it looks like a very rational way to proceed.

16 MR. McLOUGHLIN: Thank you. Diana does great work.

17 CHAIRMAN RICHARD: We know that. You did pretty
18 well yourself on this.

19 Mr. Morales.

20 MR. MORALES: Mr. Chairman, just one other comment
21 and it will apply for the next presentation, as well. One of
22 the things that was pointed out in the slides was the
23 criteria involved in the evaluations are derived from both
24 federal and state statutes and regulations. Much of the
25 evaluation at this stage is very much objective based on

1 quantitative analysis of particular impacts. In the
2 materials that have been provided to the Board and to the
3 public are details of all 16 of the alignments, how they
4 ranked against each other. So all of this information is
5 available and it let's people see exactly how and why
6 decisions were made as we go forward to this next process.

7 CHAIRMAN RICHARD: Very good. Okay. With that, we
8 will move to the next item, which is the informational update
9 on the identification of preferred alignments and station
10 locations for inclusion in the Fresno to Bakersfield final
11 EIR/EIS.

12 Ms. Gomez.

13 MS. GOMEZ: So, again, myself and Mark will be
14 sharing the podium and making this presentation. I do first
15 want to acknowledge all of the staff that has been actually
16 working on both of these projects, it hasn't been just
17 myself. We do have the team here that's now in Fresno and we
18 have several of the staff from Sacramento. So, again, Mark
19 also has been very instrumental, so we do appreciate
20 everybody's help in this and we are really doing this as a
21 team effort, so I do want to mention that.

22 So we are going to -- again, this is for
23 information, an informational item, and we want to present
24 our preliminary staff recommendations for the alignments from
25 Fresno to Bakersfield.

1 The next slide. So the staff has identified
2 preferred alternatives for Fresno to Bakersfield section
3 based on information that was developed during the
4 environmental review of the project and utilizing the EPA
5 guidelines for evaluation of alternatives under Section 404
6 of the Clean Water Act. This project must obtain a Section
7 404 permit from the U.S. Army Corps of Engineers, therefore,
8 it is important that the project alternatives are considered
9 in light of the regulations that the Corps of Engineers must
10 apply for their permitting process. The evaluation of the
11 project alternatives under Section 404 are similar to the
12 evaluation done under CEQA and NEPA, with the exception that
13 it places additional emphasis on potential impacts to the
14 waters of the U.S. under the jurisdiction of the Corps of
15 Engineers. The staff is seeking the Board's opinion on the
16 analysis that has been conducted for the project alternatives
17 and request the Board's direction on the preparation of the
18 final EIR/EIS for the Fresno and Bakersfield section.

19 Next slide. I'm going to talk a little bit about
20 the timeline and what has occurred to date. These -- the
21 statewide program EIR/EIS completed in 2005 established the
22 BNSF corridor as a preferred alignment corridor for the
23 Fresno to Bakersfield section with a station in downtown
24 Fresno and downtown Bakersfield on Truxtun Avenue in the
25 immediate vicinity of the existing Bakersfield Amtrak

1 station. Based on the decision of -- on this decision, the
2 results of a study for a potential station in the Hanford,
3 Visalia and Tulare area at numerous meetings with
4 stakeholders and the public six specific alignment
5 alternatives in the BNSF corridor were evaluated in the draft
6 EIR/EIS for the Fresno-Bakersfield section. The evaluation
7 also included two station alternatives in Fresno, a potential
8 station located east of the City of Hanford, two station
9 alternatives in Bakersfield and five alternative sites for
10 the heavy maintenance facility. The draft EIR/EIS was
11 released for public review in the summer of 2011 with a
12 60-day public review period. Based on public and agency
13 comments, the Authority and FRA decided to reintroduce an
14 alignment alternative around the west side of Hanford similar
15 to the preferred alternative identified in the statewide
16 program. This Hanford west alternative included a potential
17 site located adjacent to State Route 198 between Hanford and
18 the unincorporated community of Armona. The Authority and
19 the FRA also identified a third alternative in the City of
20 Bakersfield that contributed attributes of the two
21 Bakersfield alternatives presented in the draft document that
22 would further reduce community impacts. The environmental
23 assessment of these new alternatives, along with additional
24 environmental information and corrections suggested by the
25 public and agency on the comments on the first -- on the

1 draft document were incorporated into a revised draft --
2 supplemental draft document that was published in the summer
3 of 2012. The revised document was circulated for public
4 review for 90 days, which ended in October 19th, 2012. The
5 Authority staff has reviewed all of the public and agency
6 comments received on the draft and on the revised draft
7 document and taken those into account in developing the
8 preliminary preferred alternatives. The staff will be
9 seeking today a decision by the Board -- not today, I'm
10 sorry. The staff will be seeking a decision by the Board on
11 the preferred alignments -- alternative alignments at the May
12 Board meeting.

13 Next slide. The alternatives that were considered
14 for the project include seven alternate alignments in the
15 Lemoore rural area between Fresno and Bakersfield and three
16 alternate alignments in Bakersfield. Any combination of
17 these alternatives could comprise the complete alignment from
18 Fresno to Bakersfield creating a total of 72 distinct
19 alternative alignment combinations. To simplify the
20 presentation of information on the alternatives, a single
21 alignment from Fresno to Bakersfield termed the BNSF
22 alignment was identified that most closely follows the BNSF
23 railway. The additional alternatives that deviate from this
24 one alignment can then be identified separately and the
25 environmental impacts of those alternatives can be compared

1 to the impacts associated with the corresponding segment of
2 the BNSF alternative to gain a clearer picture of the
3 environmental effects of the alternative alignment. As it
4 can be seen from this map, a decision on an alternative in
5 one area of the corridor between Fresno and Bakersfield is
6 independent of a decision or an alternative in another area
7 of the corridor. For example, a decision on which
8 alternative alignment to follow in the Hanford area will have
9 no influence on the decision in the Allensworth area. The
10 BNSF alternative bypasses the City of Hanford to the east
11 with a potential station located near the interchange of
12 State Route 43 and State Route 198. Two alternatives were
13 considered on the west side of Hanford, one was termed the
14 Hanford west bypass No. 1 and the other one No. 2. These
15 alternatives are essentially the same, except for the
16 geometric requirements for a high-speed train requires a
17 slight deviation in the southern end of the alignments. With
18 the Hanford west bypass No. 1 alternatives lining up with the
19 alternatives that go through Corcoran and the Hanford west
20 bypass lines up with the Corcoran bypass alternatives. A
21 potential Kings County Tulare regional station could be
22 located at 13th Avenue and State Route 198 for both of the
23 Hanford west bypass alternatives. The BNSF alternative
24 crosses through the City of Corcoran at grade on the west
25 side of the BNSF railway tracks. An alternative was also

1 considered through Corcoran on an elevated structure on the
2 east side of the BNSF railway. Finally, an alternative was
3 included that bypasses Corcoran on the east side. In the
4 Allensworth area, the BNSF follows the east side of the BNSF
5 railway. Because this alternative will impact a state park
6 and a state wildlife refuge, an alternative termed the
7 Allensworth bypass was identified to the west of the BNSF
8 railway. The BNSF alternative runs through the cities of
9 Wasco and Shafter on elevated guideways adjacent to the
10 existing BNSF railway. In Wasco the alignment would be on
11 the west side of BNSF and in Shafter it would be on the east
12 side of the BNSF. The alignment would be at grade between
13 Wasco and Shafter. The Wasco-Shafter bypass alternative
14 would cross farm land east of the downtown areas of these two
15 cities. All three alternatives in the City of Bakersfield
16 closely follow the BNSF railway from Seventh Standard Road in
17 the north into the north Bakersfield station site near
18 Truxtun and the existing Amtrak station. East of the station
19 the BNSF alternative and the Bakersfield hybrid alternative
20 continue to follow the BNSF railway along the side of side of
21 east Bakersfield. The Bakersfield south alternative takes a
22 more southerly route through east Bakersfield along East
23 California Avenue to the terminus of the three alternatives
24 at Oswald Street.

25 Next slide. Over 2,100 letters, comment cards,

1 e-mails and presentations at meetings were received on the
2 draft EIR/EIS and the revised draft supplemental. These
3 submissions contain a total of over 7,800 comments on the
4 environmental documents and the project planning. The main
5 issues of concern raised in these comments involve project
6 impacts through the communities, private properties,
7 particularly farms and dairies in the south San Joaquin
8 Valley and along alternative alignments that did not closely
9 follow existing transportation corridors. As a consequence
10 of property impacts, many comments received from the
11 residents of Kings County preferred an alternative that
12 paralleled either State Route 99 or Interstate 5. The City
13 of Bakersfield and the citizens of the city raised numerous
14 concerns over the community impacts that would result from
15 all three Bakersfield alternatives. Many comments raised the
16 issue of project funding and expressed concerns that the
17 project would not be completed causing environmental impacts
18 without benefits of a high-speed train. Finally, numerous
19 comments questioned the ridership projections for the
20 high-speed train.

21 Next slide. And these are just a snapshot of the
22 meetings that we had in the various cities and in the
23 counties. The staff continues to reach out to stakeholders
24 and to the public to identify concerns, answer questions
25 about the project. Since the publication of the documents in

1 the summer of 2011, the Authority has held over about 150
2 meetings with city and county government representatives,
3 school districts, water districts, special districts and
4 stakeholders in the project area. Also, since the comment
5 period closed in October, we have been meeting with many of
6 the same stakeholders to address their comments that we
7 received.

8 Next slide. As I indicated earlier, the decision
9 on an alternative alignment in one area of the BNSF corridor
10 does not influence the decision on an alternative alignment
11 in another area, therefore, each area along the corridor with
12 alternative alignments could be evaluated independently. The
13 evaluation of these alternatives took into account all of the
14 comparative information in the EIR/EIS on impacts to natural
15 resources, the physical environment, communities, social and
16 economic effects. Staff used the Clean Water Act Section 405
17 guidelines as a framework to structure a comparison of the
18 alternatives and help us focus on issues that differ between
19 alternatives. The analysis emphasizes the difference in
20 impacts to aquatic resources and it also considers impacts to
21 the nonaquatic biological resources, other environmental
22 resources, such as farm land, air quality, noise and
23 community impacts and the practicability of the alternatives
24 as measured by cost, logistics and technology. Of equal
25 importance to the evaluation of the alternatives was the

1 impacts to properties protected under Section 4(f) of the
2 Department of Transportation Act. Protected properties
3 include public parks, wildlife refuges, culture resources,
4 such as historical buildings and structures. Based on the
5 analysis of these factors, a preliminary preferred
6 alternatives identified by the staff consist of the portions
7 of the BNSF alternative combined with Hanford west bypass No.
8 2, the Corcoran bypass alternative, the Allensworth bypass
9 alternative, the Wasco-Shafter bypass alternative and the
10 Bakersfield hybrid alternative.

11 The following slides that Mark will present will
12 show the impacts and differentiates the various alternatives
13 along the BNSF corridor from Fresno to Bakersfield.

14 MR. McLOUGHLIN: Thank you, Diana.

15 Next slide. So we'll go through these alternatives
16 a little bit more into detail, so we're going to talk about
17 today on this portion right now Hanford alternatives, which
18 include Hanford west bypass and then the BNSF Hanford east
19 bypass. The Hanford west bypass was selected as a
20 preliminary preferred alternative in the Hanford area because
21 it has less direct permanents impact to waters of the U.S.
22 than the BNSF alternative. It would result in less harm to
23 4(f) properties, it would impact fewer acres of important
24 farm land, impact fewer dairies, displace fewer housing units
25 and it would not divide the rural residential community that

1 exists along the Ponderosa Road, which would be divided by
2 the BNSF alternative.

3 Next slide. So this goes -- as this table shows,
4 as we've talked about before, how we go through the analysis
5 for these details. I just summarized, really, the details of
6 this table.

7 Next slide. So we will move on to the Corcoran
8 alternatives.

9 CHAIRMAN RICHARD: Hang on a second, Mr. McLoughlin
10 Let me just ask. Does it make more sense as we go through
11 these to just stop and see if people have questions on each
12 alternative, or should we -- what's the pleasure of the
13 Board? Should we let -- okay. Sorry about that.

14 MR. McLOUGHLIN: Thank you.

15 So for the Corcoran alternatives, we have Corcoran
16 elevated and we have the Corcoran bypass.

17 Next slide. The Corcoran bypass alternative was
18 selected as the preliminary preferred alternative primarily
19 because it would impact substantially fewer acres of waters
20 of the U.S. than either the BNSF alternative or the Corcoran
21 elevated alternative. The Corcoran bypass would also
22 encroach on fewer acres of flood plane than the other
23 Corcoran alignment alternatives and displace fewer businesses
24 than the other alternatives.

25 Next slide. We'll discuss the Allensworth

1 alternatives. We have the Allensworth bypass and then we
2 have the BNSF.

3 Next slide. The BNSF in the Allensworth area would
4 take property from the current Allensworth State Historical
5 Park and the Allensworth Ecological Reserve, which is
6 administered by the California Department of Fish and
7 Wildlife. Both of these are important 4(f) properties of
8 great value to the State of California. The Allensworth
9 bypass alternative would avoid these two properties and have
10 fewer impacts on all environmental areas that differentiate
11 between the two alternatives, including waters of the U.S.,
12 which is why it was selected as the preliminary preferred
13 alternative.

14 Next slide. We'll talk about -- next will be the
15 Wasco-Shafter alternatives, which include the Wasco-Shafter
16 bypass and the BNSF.

17 Next slide. The Wasco-Shafter bypass was selected
18 as a potentially preferred alternative because it would have
19 fewer impacts in all environmental areas that differentiate
20 the two alternatives, except for road closures. The
21 Authority continues to receive important information on
22 agricultural and oil and gas resources in the Wasco-Shafter
23 area from local stakeholders and we wish to further evaluate
24 this information before making a final recommendation on the
25 preferred alternative in this area.

1 Next slide. Next we'll talk about the Bakersfield
2 alternatives, which include Bakersfield hybrid, the BNSF,
3 Bakersfield north and Bakersfield south.

4 Next slide. While the Bakersfield south
5 alternative has the least impacts to waters of the U.S. of
6 the Bakersfield alternatives, it is the only alternative that
7 would use a 4(f) property. The Bakersfield hybrid
8 alternative impacts only slightly more acres of waters and
9 has no use of 4(f) properties. In addition, the Bakersfield
10 hybrid would not directly impact the Bakersfield High School
11 campus, it would displace fewer religious facilities than the
12 other Bakersfield alternatives and it would displace the
13 fewest housing units. For these reasons, the Bakersfield
14 hybrid alternative was selected as a potentially preferred
15 alternative. We do recognize on the Authority staff that no
16 one size fits all strategy for every community along the
17 high-speed train system and that the City of Bakersfield
18 views on the appropriate way of implementing high-speed rail
19 in their community is evolving. The Authority continues in
20 its commitment to work with local communities and
21 stakeholders to ensure their concerns are heard and that the
22 Central Valley communities are able to take advantage of
23 the potential benefits of high-speed rail. Therefore, the
24 staff continues to evaluate alternatives in the Bakersfield
25 area. We have recently received recent feedback from the

1 City of Bakersfield and will continue to work to address
2 their issues and concerns in this area.

3 Next slide. The preliminary staff preferred
4 alternative has the least capital cost of all the 72 possible
5 alternatives in the Fresno-Bakersfield section. The
6 preliminary preferred alternative would have a very similar
7 travel time as the BNSF alternative.

8 Now I'd like to turn it back over to Diana. Next
9 slide.

10 MS. GOMEZ: Five heavy maintenance facilities, and
11 we heard a lot about the maintenance facilities earlier
12 today, five heavy maintenance facility sites have been
13 evaluated in the Fresno to Bakersfield section, one south of
14 the City of Fresno, one in the Hanford area, one east of
15 Wasco and two in the Shafter area. None of these heavy
16 maintenance facilities sites factor into identification of
17 the preferred alternative alignments. The staff will not be
18 proposing a preferred alternative for the heavy maintenance
19 facility at this time. The decision will be brought before
20 the Board following the environmental assessment of the San
21 Jose to Merced section of the high-speed system when we have
22 sufficient information has been developed to provide an
23 informed assessment of all of the possible heavy maintenance
24 facility sites in the Central Valley.

25 Next slide. The next steps are we will continue to

1 have stakeholder meetings and coordinations, return to the
2 Board for identification of a preferred alternative and then
3 prepare and publish the final EIR/EIS document.

4 That concludes our presentation. Thank you.

5 CHAIRMAN RICHARD: All right. Thank you very much.
6 Mr. Morales, would you like to add some comments at this
7 point?

8 MR. MORALES: Just a few quick points. One, I want
9 to make sure the public knows the presentations are posted on
10 our website, I notice some people taking pictures, which you
11 are, obviously, welcome to do, but you can get them from the
12 website, so all of the information that's been presented is
13 available to you.

14 Secondly, just on the heavy maintenance facility
15 question, just to clarify, the same -- what Diana just said
16 about the Fresno-Bakersfield alignment is the same for the
17 Wye, that no decisions are made about a selection of heavy
18 maintenance in the Wye, nor was the location of a facility
19 determined regarding alignments and we'll be working on those
20 as we go forward.

21 I also just want to note and there were public
22 comments by the Kern Council Governments this morning about
23 how the county's and City of Bakersfield's position that was
24 characterized in Section 2.2 of the report. I was also
25 contacted by the Bakersfield city manager this morning about

1 that. It's not -- it doesn't affect any of the numbers, but
2 it's the text that was used to describe the city's position,
3 they have some concerns about how that was done. We will be
4 working with the city to address that and make sure that it
5 accurately reflects their position. And as was noted, I and
6 others will be meeting with both Kern COG and the City of
7 Bakersfield prior to the next Board meeting to work through
8 those and other issues with them.

9 CHAIRMAN RICHARD: Okay. Questions from Board
10 members. I have one or two, but I'm just waiting. Go ahead.

11 VICE CHAIR RICHARDS: Thank you. I know that all
12 of us sit here and listen very carefully to all the comments
13 from the public, so there is nothing that I would suggest to
14 you that was stated earlier today that we didn't hear. I
15 think everybody knows that we are bound by certain rules and
16 regulations also with regards to environmental studies and
17 the rules and regulations that are promulgated under both
18 CEQA and NEPA. Certainly, when you hear areas of the
19 community that have come together and formed what appears to
20 be a consensus, I think that needs to come into play,
21 certainly, and I'm thinking specifically of the Wasco-Shafter
22 area at this point and the comment that was made by one of
23 the speakers who indicated that some time ago they were
24 advised, you know, come back with consensus. So my request
25 would be certainly to make sure that our federal partners,

1 the Corps of Engineers and the others, the FRA, the people
2 that you work with are aware of what the community wants,
3 because I think it becomes certainly a relevant part of this
4 decision and it needs and it's rightfully so. So given that
5 and certainly other comments along this alignments as it is
6 either likely to be considered as the preferred alignment,
7 when that comes back to us or other changes, I encourage
8 those who have an interest to continue working with the
9 Authority and our staff and to make sure that in a clear way
10 we understand what it is that you're looking for in helping
11 to it achieve our alternate goal and the goal of the
12 taxpayers to move this project forward, and that needs to be
13 a part of that process and understanding also. So I
14 appreciate the report and the progress and would like to
15 encourage you, Mr. Morales, that our federal partners
16 understand and have really a full understanding of what, in
17 various parts of this alignment, the community is saying.

18 MR. MORALES: Absolutely. The federal partners,
19 primarily the EPA and the Corps of Engineers, have a
20 significant voice and role in this process, along with the
21 FRA and the -- we will absolutely be summarizing all of the
22 comments that we've received, whether it was through the
23 comment period previously or through this meeting, as well as
24 the two meetings that we had over the last few weeks in
25 Fairmead and Chowchilla, in meetings with them that they

1 understand where the public sentiment is on those issues.

2 MEMBER PEREZ-ESTOLANO: Thank you. I just have a
3 question. I'm still learning some of the language, so
4 forgive me. Number of receivers severely impacted by noise,
5 Mark, on the resource area impacts, this is under the -- or
6 maybe it's Jeff -- but it's number of receivers severely
7 impacted by noise and vibration. Receivers, can you just
8 translate, what does that mean in regular terminology?

9 MR. McLOUGHLIN: I think the way I would simply put
10 it is either receivers, receptors, houses, businesses, things
11 like that.

12 MEMBER PEREZ-ESTOLANO: Facilities, homes,
13 businesses, structures?

14 MR. McLOUGHLIN: Yes.

15 CHAIRMAN RICHARD: Does it include species?

16 MR. McLOUGHLIN: That's analyzed in other permit --
17 included in the EIR and the other permit documents for either
18 the federal or state species, yes, noise and vibration.

19 MEMBER PEREZ-ESTOLANO: I mean, that's a good
20 question, it doesn't include creatures, then?

21 MR. McLOUGHLIN: Habitat, yes, we analyze that in
22 that document, including the federal biological opinions and
23 also the state CESA or California Endangered Species Act 2081
24 permit for endangered species of California.

25 MR. MORALES: Mark, correct me if I'm wrong, one of

1 the reasons for looking at the receptors is that it
2 potentially could tie to mitigation also if a certain
3 alignment is chosen.

4 MEMBER PEREZ-ESTOLANO: I would just say that -- I
5 would ask and, obviously, we're committed to this, that we
6 continue this robust community engagement program, that we
7 continue to work with and in partnership with residents,
8 business owners, property owners, the whole thing, that we
9 continue to work very closely. And I echo Commissioner
10 Richards when he says, you know, that we need to -- the
11 number of meetings and the time committed, but the listening
12 that we do, that we kind of carry that message back to our
13 partners, but that we make it very clear that this is --
14 we're going through a process, but that we're taking all that
15 input in as much as we can receive it, and that those portals
16 are always open online and over the internet and all that
17 stuff is going on.

18 MR. McLOUGHLIN: Agreed.

19 CHAIRMAN RICHARD: Thank you. I have just a couple
20 questions. If we look at the Hanford alternative, and I
21 don't know how easy it is to restore that slide.

22 MR. McLOUGHLIN: Maybe I can go backwards. This
23 one?

24 CHAIRMAN RICHARD: Yes, thank you.

25 So one of the issues that we have is that while we

1 are in Kings County we're certainly affecting Tulare County,
2 as well, and we heard from Mr. Olmos on behalf of the City of
3 Visalia that they would like the east option, and I think his
4 comments were fairly described is because that's more
5 centralized in terms of the catchment shed of ridership and
6 so on. Between those two white dots there, how far is that?
7 What are we looking at? Do you have a sense? I mean, it's
8 it doesn't have to be precise, but --

9 MR. McLOUGHLIN: About five miles, four or five.

10 CHAIRMAN RICHARD: Five miles. So if we were to go
11 to the west, does the analysis include strategies on how to
12 maximize the connectivity to Visalia and Tulare County?
13 Where would I find that thinking?

14 MR. MORALES: We've had discussions with Visalia,
15 in particular, about that and understanding that their
16 preference is for an eastern alignment, one of the reasons
17 for the stations being -- potential stations being located
18 where they are is that they're on a major thoroughfare, Route
19 198. So that east-west access would be better obtained and
20 they are, Tulare County and Visalia, are looking at transit
21 alternatives to connect in with either station location, and
22 that is part of the analysis and the discussion with them in
23 our stakeholder engagement with Tulare.

24 CHAIRMAN RICHARD: Okay. So what you're saying is
25 that the -- that in terms of the latitude where the station

1 would be located, you'd put it astride the east-west roadway
2 so that it would facilitate that movement?

3 MR. MORALES: Correct.

4 CHAIRMAN RICHARD: All right. And on the Corcoran
5 alignment, we had a gentleman speak this morning, I think, if
6 I'm correct, it was Paul Smart who spoke about the impacts on
7 Corcoran and was talking about the elevated alignment. I
8 hope I tied the comments to the person, but they were pretty
9 compelling in terms of saying that that community is not
10 really anticipating any benefits of high-speed rail, they're
11 just looking at the impacts. And at least that particular
12 citizen was pushing for the elevated alignment. What I was
13 surprised to see is that that alignment had, if I understood
14 your presentation, greater impacts on waters, and why is
15 that?

16 MR. McLOUGHLIN: Let's take a look here. The
17 Corcoran bypass has 13.76, if you look at direct permanence
18 to waters of the -- permanent impacts to waters of the U.S.
19 on that Corcoran bypass, 13.76 compared to 20.78 or 14.52 on
20 the Corcoran elevated. So if you look at the -- from a
21 performance perspective, you kind of look at the waters in
22 the hierarchy as being what's in yellow on your slide or on
23 your presentation. Those are kind of the hierarchy of where
24 the categories and priorities are, especially from a waters
25 perspective.

1 CHAIRMAN RICHARD: I'm looking down at that chart
2 here. I mean, I'm getting used to the fact that an
3 environmental analysis the difference between 13.76 and
4 14.52, which is less than 8/10ths of an acre, in a normal
5 context would not seem like much, but I know that that does
6 have significance in the context of 404 and the need to limit
7 impacts on waters. But I guess the question is why? Is it
8 because it's closer on that black line to this body of water
9 here that is -- I guess on the map. I'm looking at the map.

10 MR. McLOUGHLIN: Let's take a look. I'll go back.

11 CHAIRMAN RICHARD: Is it just -- I mean,
12 intuitively it seems to me that elevating a structure would
13 reduce its footprint and, therefore, have less impact, so
14 that's what I was trying to reconcile.

15 MR. McLOUGHLIN: Yeah, and a lot of it is that
16 depending on where the waters are, I don't have the map in
17 front of me from a detailed perspective where those waters
18 lie, where those actual resources are for those impacts. And
19 your intuition is right.

20 CHAIRMAN RICHARD: Okay. It may be that it's a
21 smaller footprint, but perhaps the footprint is closer to
22 some --

23 MR. McLOUGHLIN: Yes, also, you have -- there's
24 also from an indirect impact also to those waters on the
25 chart also.

1 CHAIRMAN RICHARD: I can see that. And that's much
2 more significant, it's from 26 up to 40 acres.

3 MR. McLOUGHLIN: Correct.

4 CHAIRMAN RICHARD: At some point, I'd be interested
5 in understanding what's behind that.

6 MR. McLOUGHLIN: Okay.

7 CHAIRMAN RICHARD: I'm generally intrigued that, if
8 we can afford to do it, elevating seems to me to have less
9 impacts on our community, but we're not showing that. I
10 mean, we would have to deal with the cost issues separately,
11 but for environmental purposes it's a little surprising to me
12 that the elevated alignment would end up with not -- with
13 greater impact. So we don't have to dig into it right this
14 afternoon, but I'd appreciate a follow-up that -- and then we
15 can -- if the staff could send a Board memo on that and we
16 can post it on the website so that public could have access
17 to that effect. I'd just be interested in what is it that
18 causes those greater impacts.

19 MR. McLOUGHLIN: Will do, thank you.

20 CHAIRMAN RICHARD: I think those were the only
21 questions that I had at this point. So let's just talk about
22 next steps from here. I think the staff has heard, and I
23 know this is consistent with what they would do anyway, but
24 has heard very clearly from Board members that maintaining
25 and intensifying the outreach to affected members of the

1 public and to stakeholders is something that we would be
2 looking for in this next phase. This is a presentation on
3 alternatives that we have had today. We've had public input
4 on it, as well as our staff's best thinking as to where we
5 should be going with this. But, Mr. Morales, it's my
6 understanding that, as we sit here today, nothing is
7 definitively decided in terms of even the issue of creating a
8 preference going forward. So this is informational about the
9 current thinking and the direction, but we haven't actually
10 made these determinations yet; is that correct?

11 MR. MORALES: That's correct. The plan is that we
12 would continue with the outreach as directed, continue the
13 analysis and come back next month with the identification of
14 a preferred alignment in order to continue moving through the
15 regulatory process. The actual designation of an alignment
16 through a final would not happen until certification of the
17 EIR/EIS and adoption of the NOD, which we're were projecting
18 for the fall.

19 CHAIRMAN RICHARD: So just to make sure that I
20 understand it and hope that we can communicate this clearly
21 to the public. So the process would be we're analyzing. The
22 staff is giving us a snapshot today of what the technical
23 analysis is showing that would tend to lead one towards
24 certain preferred alignments. There will be additional
25 communication, there will be additional outreach, there will

1 be additional analysis. Then you will come back and say to
2 us "This is what we would like to carry forward through the
3 next phase of the regulatory process identified as
4 preferred," but simply the identification of them, even the
5 adoption of a preferred alignment by this Board, doesn't mean
6 that that's ultimately the alignment that the Board would
7 take. That just means that it's notice to the public going
8 forward that this is the direction of our thinking, and then
9 there would be further analysis under state and federal
10 environmental laws. And then all of that material, including
11 public comment, would come before the Board sometime in the
12 fall where we would actually adopt a record of decision and a
13 notice of decision that was specific as to where we're going.
14 So there's several steps here, each one is intended to
15 communicate what the thinking is, but without closing any
16 doors at this point and there is an opportunity for public
17 engagement and a necessity for it all throughout.

18 MR. MORALES: Correct. I do want to be clear,
19 though, again, part of the reason for making such a detailed
20 presentation, including all of the numbers, is to make sure
21 the Board and the public sees what the analysis is so that
22 there is an understanding of that. And you're correct, the
23 final determination will not be made until further on into
24 the process, but I also -- you know, this certainly is an
25 indication of where those -- where the recommendations are

1 going, and I don't want to be in any way misleading about
2 that.

3 VICE CHAIR RICHARDS: Yeah, Mr. Chairman, if I may.
4 I want to just clarify that also. So what I'd like to make
5 sure that everybody understands, including myself, when
6 you -- when staff comes back and defines its preferred
7 alternative, and I assume that means that this Board would
8 act on that, does that mean that between then and the actual
9 completion and certification of the EIR, between the
10 designation of the preferred alignment and then, are all of
11 these other subsets of alternatives still being studied or
12 does the studying stop on everything except what has been
13 designated as the preferred alignment?

14 MR. MORALES: I'll ask Mark to jump back in.
15 There's several things that could happen once this Authority
16 through the Board identifies a preferred, which, again, is
17 just carrying it into the next stage of the environmental
18 review. The regulatory agencies, either the Army Corps or
19 the EPA, in particular, could look at that and say "We don't
20 agree, come back with" -- either look at a different
21 alternative or "We think the other one is preferred." So
22 there is still that back and forth with them. So effectively
23 everything continues under review, but, again, we're moving
24 toward a decision in the identification of a preferred. So
25 there would be an affirmative action next month by the Board

1 to say, assuming we get through the checkpoints, this is
2 where we're heading on a preferred alignment.

3 MR. McLOUGHLIN: Could I add to that, Jeff?

4 MR. MORALES: Please.

5 MR. McLOUGHLIN: We still -- and I concur with what
6 you just described, Jeff, that we also have to go through the
7 rigor of the Corps and EPA process of that checkpoint. We
8 have to go through the rigor of that analysis to get their
9 concurrences. As was mentioned, that we have to get that
10 concurrence, they may not concur with what we're proposing or
11 they may go back and forth or ask us to study others. We
12 don't know that. But right now we have to put together those
13 analysis and proposals for their concurrence. We still have
14 to, again, meet that rigor of their review.

15 VICE CHAIR SCHENK: And so if they do disagree,
16 then you end up coming back before the Board.

17 MR. MORALES: Just, again, to be very clear, the
18 ultimate adoption of the alignment and through the
19 certification of the EIR and the adoption of the NOD is the
20 Board's function, the staff cannot do that, the Board has to
21 do it. And the Board will, you know, be presented with all
22 of the information that builds on this, includes what the
23 feedback we get through additional stakeholder and through
24 the regulatory agencies. So all of that will be presented to
25 the Board so that you can then make a decision ultimately on

1 the selection of the alignment.

2 MS. PEREZ-ESTOLANO: Can I just ask a follow-up
3 question to that? So the Board moves forward with a
4 preferred alternative, that preferred alternative begins the
5 analysis, right --

6 MR. MORALES: Yes.

7 MS. PEREZ-ESTOLANO: -- the deep analysis?

8 We spend time investing in this alternative
9 analysis and understanding it and these other agencies could
10 come in and say "No, we don't agree with that, look at
11 something else," is there -- is it an iterative process
12 whereby they come -- I have experience in other kinds
13 of related projects, so I want to understand, because you can
14 go through and get pretty far and then, you know, have the
15 agency, federal agency say "No, we don't like that" and you
16 spend a lot of time and money and resources and public
17 interest participation. And so I just want to know where in
18 that process, do you start at the beginning? Do start, you
19 know, six months in? I mean, where are we going to get that
20 feedback so if we need to make a course correction, then
21 we're kind of not having wasted or expired a whole a bunch of
22 time.

23 MR. McLOUGHLIN: The staff and the regional
24 consultants in the program management team have been working
25 probably over a year to a year-and-a-half coordinating with

1 the agencies and have met with them many times, the Corps and
2 the EPA, to get to where we got through Checkpoint B, to get
3 through that for what other range to bring forward. We got
4 through that. Now we -- there are lots of preparation
5 meetings with them, "Here's what's coming. Here's where the
6 analysis seems to be going" like we've presented today. And
7 as we go forward, how we're going to present and how
8 stakeholder input is very important, as we've heard today,
9 and also recently in the past year. And so part of that is
10 the way we have to figure out what that analysis will be we
11 bring forward, and that preferred alternative and what we
12 think is that preferred alternative and what the community
13 wants and how we present that information, and they may not
14 agree with it. Ultimately we're getting to the LEDPA or the
15 least environmentally damaging practicable alternative,
16 that's where we're actually going get to and they would agree
17 on that, which allows us to, not only move forward in the
18 document, but it also allows us to get permits for
19 construction. And that's really where the key important
20 point is.

21 MR. MORALES: Two things, and it's an important
22 point, ultimately those same agencies, particularly the Corps
23 has to issue permits then based on the environmental
24 documents, but one other thing as we go through this process,
25 there are different agencies involved looking at different

1 things and using different criteria. And so, for instance,
2 the Army Corps' view of this project is through a very narrow
3 lens looking at the impact on the waters, the EPA looks at
4 certain things, Fish and Wildlife looks at certain things,
5 State Historic Preservation looks at certain things, each of
6 them looks at different slices which could lead you to
7 different decisions if you're just looking at that slice.
8 What we have to do through the whole process, then,
9 ultimately is navigate all of those and try to bring them
10 together to ultimately an alignment that matches up all of
11 those things. But there will be some tension points with
12 some of the agencies along the way because, again, they have
13 a very narrow focus. We have to take the much broader view
14 in the end, but that's why that process of talking to them
15 starts very early in the process and is virtually daily,
16 certainly weekly.

17 CHAIRMAN RICHARD: I mean, my concern with this is
18 just that was just articulated, which is that we have a
19 fairly atomized decision-making process among different
20 agencies, all of whom have been charged by the Congress and
21 the Legislature with very specific obligations to protect
22 very specific things. Our job, when we have the record of
23 decision and notice of decision in front of us, is to somehow
24 gather all that together and look at the least damaging
25 alternative. In engineering, when you look at systems

1 engineering some subsystems get suboptimized so that you can
2 optimize the whole, and so it's going to be -- you know, that
3 could be a challenge here. But, you know, at the end of the
4 day, I guess what I would say is that I want to make sure
5 that we find a way to do what we're required to do under the
6 law in terms of looking at objective criteria and do things
7 like that, but to actually push for and fight for
8 alternatives that we think, in our judgment, constitute the
9 best outcome overall. And I can tell you, and I think
10 listening to my colleagues up here, to the extent that there
11 are very, very strong community preferences, that should
12 weigh very, very heavily on our minds. So I appreciate the
13 work the staff is doing to work with these other agencies and
14 to bring them along, but I can't emphasize enough as you
15 communicate with them that, you know, we sit here on a day
16 like this today and we hear many, many voices from the
17 community. Some people would just prefer this project not
18 exist at all, some would grudgingly accept it, some would
19 embrace it, but, you know, in all cases, you know, being here
20 in the Valley in these communities where people know what it
21 means to them. And so I just don't want us to be sitting
22 there in Sacramento or someplace trying to make this decision
23 based on a series of checkmark boxes, which I understand we
24 have to go through. But, I mean, we have to step back and we
25 have to kind of look at this from the standpoint of the

1 overall public interest. And I guess I'm only saying that
2 out loud to try to give the staff some ammunition as you meet
3 with these different agencies that we have great respect for
4 their very specific statutory, legal requirements, but we
5 have a bigger job to do and we hope that they can understand
6 that and we can harmonize those things.

7 Okay. Any other questions from members of the
8 Board? With that, I want to thank the staff, Mr. McLoughlin,
9 Ms. Gomez. We really do very much appreciate your hard work
10 on this and recognize the quality of the work. And then all
11 the other staff people who I know are working on this team
12 behind you. I want to thank the members of the public for
13 bearing with us through a couple of technical difficulties
14 today. And we will keep moving forward, but thank you all
15 and -- hold on one second. Let me just -- I can't do
16 anything without checking with the lawyers. I think we
17 should be done. All right. So I think we're not going to
18 have a closed session today. We're going to move to
19 adjournment of this meeting and we're going to thank
20 everybody for participating today. Thank you.

21 -oOo-

22 (Whereupon, the meeting
23 concluded at approximately 2:30 p.m.)

24 -oOo-

25

1 State of California)
2 County of Fresno) ss.

3

4 I, KARA D. GEHRKE, a Certified Shorthand
5 Reporter, License No. 13422, for the State of California, do
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7 THAT the said proceedings were reported in
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10 I FURTHER CERTIFY that I am not interested in
11 the outcome of said action, nor connected with, nor related
12 to any of the parties in said action or to their respective
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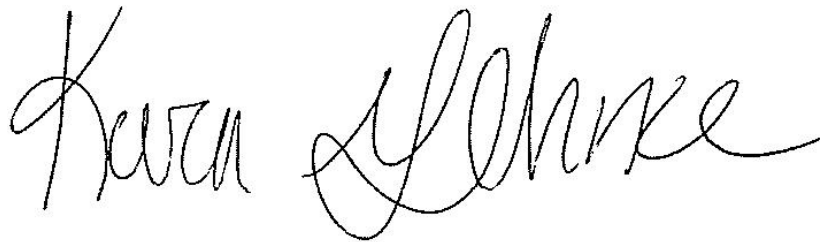
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